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MONTANA PERSONNEL PERSPECTIVES

Number 11
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January 1987

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MEDICAL EXPENSES YOUR HEALTH PLAN DOES NOT COVER, AND HOW TO PROTECT YOURSELF FROM OUT-OF-POCKET COSTS

This is the sixth in a series of articles on Employee Benefits.

The State Employee Benefit Plan, like all comprehensive major medical plans, has a number of exclusions and limitations. If you receive medical services that fall within these exclusions or exceed these limitations, you pick up the tab.

This article is designed to help you protect yourself in advance against unanticipated, out-of-pocket medical expenses in two ways. 1) It will make you more familiar with the exclusions and limitations of your medical plan and the reasons for them so you can make an informed choice on elective procedures; and 2) it will provide more information on a new service called "predetermination" that lets you know how much of your bill will be paid by your benefit plan before planned services (services that are not emergency treatment) are received. With this advance information, you can select a less costly provider of the service, or if the procedure isn't covered, you may be able to pursue a more conventional course of treatment that is covered.

Exclusions and Limitations:

Your medical plan contains a maximum lifetime limitation of $1,000,000 per member plus the following types of specific exclusions and limitations.

1. Exclusions of unnecessary services and expenses - Several of these exclusions involve charges for hospitalizations that are not medically necessary -- hospitalization for such purposes as diagnostic tests, observation, physical therapy, etc., in which hospitalization is not required for the tests or treatment.

   Other exclusions of unnecessary services include: private hospital room charges, beyond those for a semi-private room; emergency room charges for non-emergency situations; ambulance service that is not for a medical emergency or is beyond service to the nearest qualified hospital; out-of-state travel charges when treatment can be done locally; and personal services such as radio and television in the hospital room.

2. Exclusions/limitations on services that are not for "treatment" - The state plan is designed to pay for "treatment" of illness and injury (with the exception of preventive services recently added).

   Some services are excluded because they are not active "treatment," they are custodial services for illness or injury that cannot be treated. Nursing home care falls in this category.

   Home health care, Hospice, skilled nursing care and rehabilitation care involve services that are commonly a combination of treatment and other services such as custodial care, bereavement counseling, etc. They consequently all have a number of limitations (outlined in Article II of the plan book) to insure that they are at least in part treatment of illness and injury and are not abused.

3. Exclusions/limitations on services that are not for "verifiable illness or injury" - Routine vision care is an example of services for conditions that are not commonly or in the medical field defined as "illness or injury" and consequently are not covered. Medical conditions such as glaucoma are defined as an illness and are covered.

   If routine vision care is provided, it is typically provided under a separate plan from the medical plan. State benefits do not include a vision plan.

Other services excluded or limited because they are not for "illness or injury" are routine physical and premarital examinations; most cosmetic surgery; treatment for obesity unless medically necessary; marriage, family, sexual counseling services; speech therapy except as provided in Article III, Section 3.05 of the Plan booklet; elective abortion; removal of corns, callosites, etc., unless medically necessary; vision training, and vitamin prescriptions.

Other services are excluded or limited because they are for illness or injuries that are not easily "verifiable." Services for mental and nervous conditions fall in this category and are limited. See Article III of the Plan booklet.

4. Exclusions of services that are not generally accepted in the medical community - Rest cures, herbal cures, and experimental procedures fall in this category.

5. Exclusions of home equipment for the treatment of illness or injury that is not essential or is available elsewhere - Exercise equipment and whirlpools are examples.

6. Exclusion of services for illness or injuries that are self-inflicted or incurred during the commission of a crime.

7. Exclusion of services for illness or injury resulting from an act of war or armed invasion.

8. Exclusion of services for pre-existing conditions - This is a general exclusion contained in the eligibility rather than "General Exclusions and Limitations" section of the booklet, (2.06) and affects employees who have been with the Plan less than a year.

9. Exclusion of services by a relative or someone who lives in the patient's home - These are excluded because they represent a significant potential for Plan abuse.

10. Exclusion of charges that are or should be picked up by some other entity - This includes charges that should be paid by a governmental program (such as Workers' Compensation) or the individual (because of lack of coverage).

11. Exclusion of inappropriate or excessive charges - To be covered, charges must be within usual, customary, and reasonable charges for the service in the surrounding geographical area. Charges that significantly exceed these are not covered.

    Allowable charges are also limited by common, accepted medical or billing practices. Certain surgeries, when performed through the same incision, are considered incidental to the major procedure and separate charges are not covered. This is because the incidental procedure does not require sufficient time or difficulty to warrant additional payment. An example would be a tubal ligation during a c-section or a knee manipulation during arthroscopic surgery.

    When multiple surgeries are performed on the same day, the major procedure is paid in full and all secondary surgeries are paid at 50%. An example would be a cholecystectomy paid at 100% and an inquinal hernia at 50%. The second surgery is less expensive to perform because a second preparation is avoided.

Steps to Protect Yourself Against Uncovered Charges

If you have questions about whether minor services fall within the above limitations or are covered, read your Plan booklet. If still in doubt, call Blue

Cross/Blue Shield for an answer (toll free 1-800-423-0805 or Helena 444-8200). All calls are recorded so phone responses provide you with some protection. For added protection record who you talked with and the date and time.

If the procedure is major and costly or if you need greater protection, ask Blue Cross/Blue Shield for a predetermination. Obtain the predetermination form from your Blue Cross/Blue Shield office and take it to your physician for a written treatment plan. When completed return it to Blue Cross/Blue Shield for a predetermination. You will receive a written determination of what charges are allowable. The amount actually paid by the Plan will depend upon some other factors such as whether or not you have met your individual or family deductible and your copayment ceiling.

For additional information please contact the Employee Benefits Section, State Personnel Division, 444-3871.

LONGEVITY SERVICES AWARD PROGRAM TRANSFERRED TO PROPERTY & SUPPLY DIVISION

As of December 22, 1986, the responsibility for ordering and stocking longevity service award pins has been transferred from the State Personnel Division to the Property and Supply Division, Department of Administration.

For further information or to place an order, call Jim Nelson at 444-4514.

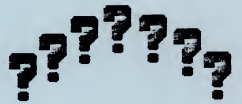
PERSONNEL POLICY NETWORK TO MEET

The New Immigration Reform Act of 1986, signed by President Reagan on November 6, 1986, will be discussed at the Personnel Policy Network meeting on Tuesday, January 27, 1987, in the State Personnel Division Conference Room.

This new federal law requires employers to verify that new hires are not illegal aliens by examining such documents as: U.S. passport; birth certificate; social security card; drivers license; or alien identification card. Sanctions will be imposed against employers who do not comply with the employment verification system and hire illegal aliens. The State Personnel Division is preparing a briefing paper for the Network on the new law and will provide a temporary form for collecting required information.

Other topics on the agenda include: comments received on proposed changes to the compensatory time and overtime policy; a presentation on smoking cessation by the American Lung Association; and legislation relating to personnel issues.

All members of the Personnel Policy Network are encouraged to attend the meeting. For further information, call Barb Charlton at 444-3983.



POLICY PURSUIT

Question:

Gale, a permanent state employee asks her supervisor how long she can be on Maternity Leave?

1987 COMPARABLE WORTH REPORT ISSUED

The 1987 Comparable Worth Report to the Legislature finds that of the 23% wage gap that exists between men and women in state jobs, most can be explained by differences in length of service and differences in the type of jobs held by either gender. There are more men than women in administrative, professional, craft, and protective service occupations, but women dominate clerical and paraprofessional occupations.

The concept of "comparable worth" requires that the relationship between job content and pay must be the same for all jobs, whether they are held by males or females. The report indicates that classification practices have gone far in achieving a standard of comparable worth.

The Department of Administration is charged by the Legislature with working toward the goal of establishing a standard of equal pay for comparable worth.

The 1987 Comparable Worth Report must be presented to the Legislature to inform it of progress made toward meeting that standard.

For further information on the report, call Lana Loughrie, 444-3854.

TRAINING CLASSES ANNOUNCED BY PDC

Several interesting classes will be offered in Helena during the month of February through the auspices of the Professional Development Center. All will be held in the Montana Training Center located in the DNRC Building on 6th Avenue.

Power Communications - Power Communications will be offered February 4 in the Yellowstone from 8:30 a.m. to 4:30 p.m. This seminar is aimed at anyone who wants to learn more about communicating with others and how to project their feelings and ideas to others. It covers the methods you can use to handle conflicts with others, including your supervisor. Leader of this seminar is Vondene Hopkins, a specialist in interpersonal and organizational communications and a public and private sector manager for many years. The class will be presented in the Yellowstone Room and the cost is $60.00.

Supervisory Clinic - This two-day seminar addresses managerial problems with subordinates and provides specific methods and means for dealing with them. The problems include "attitude," "performance," and "personal" problems which affect an employee's work environment. Gretchen /Bailey, management consultant from Billings is the seminar leader. Cost of the seminar is $95.00. The seminar will be held in the Glacier Room.

Report Writing - This workshop has been offered many times and there is usually a waiting list for participation. Taught by Ray Fenton, management consultant from Helena, it is intended for managerial, technical, and support personnel who need specialized skills in writing reports. Cost is $60.00 and the workshop will be held in the Yellowstone Room.

You, Inc: Charting Your Finances - This one-day seminar offers a down-to-earth introduction to financial planning that will provide participants with a detailed, personalized plan whether they are planning a career move or just looking ahead to the future. All participants will be interviewed by trained financial counselors. Participants should bring information concerning income, assets, liabilities, and current investments. Cost of the seminar is $50.00. It will be presented in the Glacier Room.

For more information regarding these and other classes offered by the Professional Development Center, call 444-3985.

PDC TRAINING SCHEDULE
FIRST QUARTER - 1987

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
JANUARY			1 NEW YEAR'S DAY	2
5	EOM-Leading 6	EOM-Organizing 7	New Employee Orientation 8	9
12	Writing Position Descriptions 13	EOM-Delegating 14	Working with SBAS Documents 15	16
			Effective Presentations	
19	POM-Control 20	Managing Time 21	EOM-Operating 22	23
			You, Inc: Career Outlooks	
26	Preventing Sexual Harassment 27	EOM-Evaluating 28	POM-Programs 29	30
	Pre-retirement seminar		Your Diet, Your Health	
FEBRUARY 2	POM-Budgets 3	EOM-Controlling 4	EOM-Synthesis 5	6
		Power Communications		
9	Media Relations 10	POM-Information 11	LINCOLN'S BIRTHDAY 12	13
16 WASHINGTON'S B.D.	17	POM-Special Issues 18	Report Writing 19	20
			You, Inc: Financial Planning	
23	24	Delicate Balance 25	POM-Synthesis 26	27
	Supervisory Clinic		Women's Health Issues	
MARCH 2	3 Women in Management	EOM-Leading 4	EOM-Organizing 5	6
9	Purchasing and Procurement 10	EOM-Delegating 11	Editing Skills 12	13
Introduction to SBAS Part 1 16	Approaching Supervision 17	Preventing Wrongful Discharge 18	EOM-Operating 19	Introduction to SBAS Part 3 20
		Introduction to SBAS Part 2		
23/30	Meetings for Results 24/31	EOM-Evaluating 25	Managing Change 26	27
	First Impressions			

For further information call us at 444-3985 or 444-3774

POLICY PURSUIT

Answer:

When an employee becomes pregnant, she may need leave for three different reasons: complications with her pregnancy which result in the need for leave of absences before the birth of the child; leave due to temporary disability as the result of childbirth, and additional leave to stay home with the baby beyond the time the woman herself is temporarily disabled. Coverage by the Montana Maternity Leave Act and coverage by the different administrative rules on leave of absence will vary, depending on the specific reason the woman has requested leave.

The Maternity Leave Act requires that a woman be given leave of absence due to pregnancy and childbirth. It does not require leave of absence when the new mother is no longer temporarily disabled, but would like to continue to take time off for childcare purposes.

Whatever type of leave she would like to take, the woman must comply with the leave request procedures required in her agency.

If the employee experiences complications during pregnancy which require her to take leave, she may take sick leave, other available accrued leave, compensatory time, leave without pay or a combination. She may be required to provide a physician's certification that she cannot work.

Following childbirth, the woman may take six weeks off to recover from the temporary disability which results from childbirth. She may request any of the leaves mentioned in the previous paragraph. She is not required to provide a physician's certification of disability for the initial six weeks' of absence after the birth. If she requests additional leave because her temporary disability continues beyond six weeks, she will be asked to provide a physician's certification at that time. Rules on Disability and Maternity became effective on October 31, 1986. Special provisions concerning leave due to pregnancy and childbirth are found in this policy, 3-0315, Montana Operations Manual, Volume III, and specifically in Rule 2.21.908, Maternity Leave. Nothing in this policy prohibits a woman from returning to work sooner than six weeks, provided she is medically fit.

After the six weeks of temporary disability following childbirth which is covered in the Disability and Maternity rules, if a woman would like to take additional leave to stay home with the baby, she is no longer covered by the Maternity leave Act and is no longer eligible to take sick leave. She may request annual leave, other paid leaves, accrued compensatory time, or leave without pay. The agency considers requests to take any of these leaves on the same basis it would consider leave requests for any other reason.

When a woman learns she is pregnant, it is helpful if she can discuss her anticipated need for leave with her supervisor as soon as possible. This allows both the employee and the agency to plan for an orderly leave. The agency personnel officer also may be consulted on questions relating to agency policy on leave requests and for information about the specific provisions of all the various types of leave of absence which may be used for maternity leave.

For further information bout leave rules, call your agency personnel officer or Linda Kaiser, 444-3794.

Montana Personnel Perspectives is published monthly by the Department of Administration, State Personnel Division. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced by state agencies without permission. Comments should be directed to the State Personnel Division, Mitchell Building, Helena, Montana (444-3871).

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ANNUAL EEO/AA REPORT SUBMITTED TO GOVERNOR

The Annual Report to the Governor on the state's Equal Employment Opportunity and Affirmative Action Program has been submitted to Governor Ted Schwinden and copies have been mailed to agency directors and EEO officers. This year's report noted that:

- Much of the effort of agencies' EEO Officers was directed at preserving recent affirmative action gains, while agencies' management dealt with shortfalls in revenue, broad cuts in personal services and operating budgets.
- For the first time all agency job titles were matched to the Montana U.S. Census data job titles. This comparison enabled agencies to estimate the labor market percentage of minorities and females with the qualifications for entry into specific job groups.
- Using the state's personnel payroll system, agencies, for the first time, were provided with an applicant flow analysis that had sufficient data to identify possible causes of underutilization. State agencies can analyze adverse impact in their recruitment and selection practices.
- The representation of minorities dropped from 3.2% in 1984-85 to 3.0% in 1985-86 with most reduction in the clerical job category.
- A slight gain for minorities occurred in administrative, professional, technical, and protective services categories.
- The representation of the disabled dropped from 3.1% in 1984-85 to 2.8% in 1985-86. This is a reduction of 27 disabled employees.
- The representation of women in professional positions rose slightly from 36.1% in 1984-85 to 37% in 1985-86.
- The representation of women in Protective Services rose from 6.8% in 1984-85 to 7.5% in 1985-86.
- There were no gains in administrative or skilled craft categories for women. FY86 is the second consecutive year with no employment gains for women in these two predominately male job categories.
- State agencies must continue to use position/applicant/workforce data to evaluate past and present recruitment and selection practices to identify the cause or causes of underutilization. Agencies must also continue to eliminate employment barriers causing an adverse impact on minorities, females, and the disabled.

As a result of some of the findings listed above, the Report made the following recommendations:

Create an Executive Development Program for Women

One approach which may help overcome employment barriers to women is to allow women to gain qualifications through a means other than traditional job experience. Executive development programs for women are a way of addressing these concerns. These programs are currently being established by a number of employers around the country.

An extensive executive development program is beyond the scope of the limited resources the state has available for recruitment, selection and training programs. A workable program could be established by taking advantage of existing resources.

An executive development program would prepare a pool of female candidates able to compete more successfully for administrative job openings. The affirmative action preference under the agencies' affirmative action plans would then be adequate to cause a greater portion of the available positions to be filled by women.

Expand the Sexual Harassment Prevention Program.

A number of state agencies are experiencing an increase in complaints of sexual harassment. State Personnel Division's records indicate an increase in inquiries pertaining to sexual harassment.

It has been over four years since the Governor's Executive Order No. 7-82 was issued which prohibits sexual harassment in state executive branch agencies. State government needs to confirm in employees "a faith in management" that sexual harassment will not be tolerated in the workplace.

The State Personnel Division in cooperation with state agencies, plans to actively disseminate the laws, policies, and complaint procedures pertaining to prevention of sexual harassment in the workplace. The Division will promote training workshops for state employees at all levels and will stress the advantages of sexual harassment free working environment as well as the costs of sexual harassment litigation.

Increase the Use of the Applicant Flow System.

State agencies must continue to supply current position/applicant data into the new applicant flow system. Only by evaluating past and present recruitment and selection practices can agencies begin to identify the causes of underutilization.

Educate Management on Affirmative Action.

All executive branch agencies have quality affirmative action plans in place. These plans, however, cannot be effective without a commitment from management officials within each agency. All agency managers should attend affirmative action briefings. The briefings would be conducted by the EEO Section Staff with Personnel and EEO Officers from the agency. Briefings would explain the EEO/AA Guidelines, the applicant flow system and specifically address the agency's own affirmative action plan. Emphasis would be placed on the specific action items set by the agency and the problems these items are designed to correct.

For more information on the report, call Ron Wilson at 444-3886 or Linda Davis at 444-3792.

WOMEN IN EMPLOYMENT ADVISORY COUNCIL (WIEAC)

The State Personnel Division began working with the Women in Employment Advisory Council (WIEAC) in January, 1987. The purpose of the council is to gather information, furnish advice and make recommendations to the Governor regarding issues of concern to women.

The council is established for two year periods through a Governor's Executive Order. The current executive order is in effect until July 1, 1987. The council meets 4 to 6 times each year and addresses issues such as child care, non-gender insurance, employment preference, education equity, aid to families with dependent children, comparable worth, affirmative action, and child support payments.

The council has been informed that the month of March is Women's History Month. A brown bag lecture series will be offered at the Montana Historical Society, 225 N. Roberts. The lectures will be held from noon to 1:00 p.m. each Wednesday, March 4 through March 25, in the third floor meeting room at the Society. The fee for the four sessions is $10.00 or $3.00 per class and may be paid at the door.

The advisory council's next meeting is scheduled for 9:00 a.m., March 6, in the State Library Conference Room, 1515 E. Sixth, Helena.

For further information, call Barb Charlton, 444-3983.

POLICY PURSUIT

QUESTION:

Kevin informs his personnel officer, that his supervisor has asked him for the third time this month to work through his break. Kevin feels he has a right to his break and would like to know if his supervisor can require him to work through it?

PERSONNEL NETWORK DISCUSSES SMOKING CESSATION

Anna Jones, Program Consultant, the American Lung Association, informed the Personnel Policy Network that the American Lung Association offers assistance to smokers who want to quit smoking. Assistance includes No Smoking Clinics, a Freedom from Smoking cassette and a video program entitled "In Control." The State Personnel Division has one copy of the "In Control" video program which is available for agency use by contacting Mike Arnold at 444-3946. The American Lung Association also has information available, such as no smoking signs, pamphlets on writing a company smoking policy and articles on health risks related to smoking. The Lung Association provides some of this information at no cost.

The Personnel Network also discussed comments received on the draft compensatory time and overtime policies that were distributed in December for review. The State Personnel Division will prepare formal rule notices and plans to hold public hearings on April 2, 1987.

The Personnel Network also discussed the new Federal Immigration Reform Act, legislation relating to personnel issues, the sick leave fund, the EEO Annual Report to the Governor, and the results of the salary survey.

For further information, call Barb Charlton at 444-3983.

POLICY PURSUIT

ANSWER:

There is no requirement under federal or state law for an employer to provide coffee breaks. Kevin may have the right to a coffee break if he is covered by a collective bargaining agreement which provides for coffee breaks. He may also be entitled to a break if he works for an agency which has a written policy providing for coffee breaks. Otherwise, coffee breaks are an additional privilege which management granted to employees, and Kevin's supervisor can require him to work through his break.

For additional information, call Linda Kaiser, 444-3794.

INCENTIVE AWARD PROGRAM

The Incentive Award Advisory Council reviewed draft legislation at its January 27 meeting to permanently raise the ceiling for incentive awards to $10,000. The Council felt the increased ceiling would not be advisable given the state's economic condition. The present law already allows that large award amounts can be presented to the Legislature for special appropriation.

The Council reviewed 34 suggestions and approved 3 suggestions for awards.

Governor Ted Schwinden presented three cash awards to employees in Billings on November 14. Dona Hamilton, Carol Becken and Diane Altimus shared an award for $50.00. Their suggestion will save staff time in local welfare offices by consolidating material for case closure forms. All three employees work for the Department of Social and Rehabilitation Services as Eligibility Technicians in Columbus.

For further information on Incentive Awards, call Debi Flentie, 444-3887.

SICK LEAVE FUND ACTIVITY UPDATED

A total of 16 state employees have received direct grants of sick leave from their co-workers since August, 1986, when the Sick Leave Fund rules became effective.

Employees also continue to join the Sick Leave Fund itself. To date 212 employees have contributed 2,668 hours of sick leave to the fund. No requests for grants from the fund have been received.

Employees interested in joining the fund or making a direct grant should contact their agency Personnel Office or Payroll Clerk. For general information about the fund, call Gale Kuglin, 444-3984.

SALARY SURVEY

The 1986 State Employee Salary and Benefit Survey Report will be available by March. The purpose of the salary survey is to provide the Legislature with information on the competitiveness of state employee salaries and benefits compared to the labor markets most often used to recruit state government employees. The results are also useful in collective bargaining and in reviewing pay plan exceptions.

The following general conclusions are drawn from the survey results.

1. State government salaries continue to lag behind neighboring states. The gap has widened by approximately 4% since the previous survey in 1984. State salaries are comparable overall to other Montana employers.
2. State salaries paid by special pay matrices (retail clerks, blue collar crafts, teachers, and physicians) are near or below average when compared to other Montana employers and neighboring states.
3. Half of the employers surveyed anticipate salary increases for 1987. State government will not keep pace with those employers.
4. Over half of the employers surveyed have a pay system for increasing salaries for more productive employees. State government does not have a merit pay system.
5. State government's monthly contribution to group insurance is comparable to other employers.
6. State government's retirement contribution is slightly below neighboring states, but is comparable to other Montana employers.
7. State government provides comparable leave time to neighboring states, but provides more leave time when compared to Montana employers.

For further information on the Salary Survey, call Debi Flentie, 444-3887.

CLASSES ANNOUNCED BY PDC

There are four classes of special interest being offered through the Professional Development Center during the month of March. One, Editing Skills will be presented in Lewistown. All other classes will be offered in the Montana Training Center, DNRC Building, in Helena.

Women in Management. This popular seminar is presented by Vondene Hopkins, management consultant, and will be held on March 3rd from 8:30 a.m. to 4:30 p.m. Topics covered range from "Winning Cooperation", to "Obstacles Facing Women Managers". The seminar recognizes that women often encounter unique problems because of societal pressures and expectations. Cost of the seminar is $65.00.

Editing Skills. This one-day seminar is intended for anyone responsible for writing, editing, and correcting memoranda, reports, letters, and other written communications. It is presented by John Moore of the PDC staff and will be held in the Yogo Inn, in Lewistown beginning at 8:30 a.m. on March 12. Cost is only $50.00.

Preventing Wrongful Discharge. This course covers employee rights, management rights, and the proper approach to supervision that will preclude charges of wrongful discharge. John Moore of the PDC staff will present this seminar from 8:30 a.m. to 4:30 p.m. in Helena on March 18. Cost is $60.00.

First Impressions. Designed and presented by Mountain Bell Telephone Co., this half-day seminar/workshop focuses on effective communications and skills that can improve that "first impression." It is aimed at all employees who are in

positions where they meet the public daily: receptionists, case workers, interviewers, etc. It will be conducted from 10:00 a.m. to 3:00 p.m., on March 31. Cost is $65.00.

For further information regarding these and other seminars offered by the Professional Development Center, call 444-3895, 444-3774, or check the PDC Annual Training Schedule catalog, in your agency personnel office.

ESSENTIALS OF MANAGEMENT
ON THE HI-LINE IN APRIL!

Essentials of Management, the six-part program will be offered in the Cottonwood Inn, Glasgow, beginning April 9 and 10. The full schedule of classes is as follows:

April 9 - Leading - Clarifying the role and requirements of the supervisor's position: responsibilities, resources, rights, leadership, and public service.

April 10, Organizing - Defining, planning and organizing the work of the supervisor's unit for maximum efficiency and communication. Coming up with a viable unit Work Plan.

April 23, Delegating - Implementing the work plan. Methods of assigning and distributing the work.

April 24, Operating - Defining the quality and quantity of each employee's work, establishing measurable standards of performance and production, and appraising the employee's performance. Conducting the actual performance appraisal interview.

May 7, Controlling - Corrective action for rule infractions and chronic poor performance. The discipline policy and process to maintain a positive work environment.

May 8, Synthesis - A "laboratory" exercise requiring participants to use the primary skills taught in previous sessions.

All sessions will be held from 8:30 a.m. to 5:00 p.m. Cost of the six-part series will be $385.00. If the participants complete all six parts, there is a $100.00 fee reduction.

Participation in the Essentials of Management program will be limited to 20. For further information and special registration form, call 444-3774, or 444-3985.

PROFESSIONAL DEVELOPMENT CENTER

MARCH 2	3 Women in Management	4 EOM-Leading	5 EOM-Organizing	6
9	Purchasing and Procurement 10	EOM-Delegating 11	Editing Skills 12	13
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TRENDS IN EMPLOYEE GROUP HEALTH BENEFITS

Cost Containment

This is the 7th and last of a series of articles on Employee Benefits.

In the 1985 Inaugural Issue of the Benefits Quarterly magazine, Charles Hall, professor of insurance and risk at Temple University, describes the evolution of health care and health care costs as follows: From the mid-1960's until the late 1970's national attitudes toward health care were shaped by a "Great Society" perspective. Good health care was perceived as a right, not a privilege. This attitude, coupled with private sector efforts to derail national health insurance initiatives by demonstrating that private plans were adequate, resulted in a trend of expanded and improved coverage. Cost was not a major concern.

A twelve fold rise in health care costs between 1960 and 1981 changed all that. The burning issue of the 80's is to control these costs.

A January 26 Newsweek article "The Revolution in Medicine" provides a riveting example of the impact of these run-away medical costs on employee benefits. Lee Iacocco, on becoming chairman of Chrysler, discovered that Blue Cross/Blue Shield of Michigan, not U.S. Steel or Goodyear Tire and Rubber, was the company's leading supplier. Employers pay 25% of the nation's health care bills through group health insurance, and across the country they are on the move to combat continued increases using an assortment of tried and experimental approaches.

Federal programs, particularly Medicare, were among the first large health care purchasers to effectively fight cost increases using fixed fees. Their success has resulted in cost shifting to insured patients, and accelerating the pressure on employee group plans.

The State of Montana Employee Benefit Plan is not exempt from the health care cost explosion. Claims for plan year 85-86 exceeded $15 million, up 14% from plan year 84-85. This was despite savings realized by cost containment measures already implemented, specifically, becoming self-insured and increasing deductibles.

The current state contribution ($115 per month per employee) and additional employee contributions for dependents are expected to be sufficient to fund the State Plan for the next biennium, given current reserve levels. However, at the end of that period, an increase may well be required, particularly if medical costs continue to increase at 14% or more per year. The big issue for the State Plan is not whether to take more measures to contain costs, but which measures to take.

Cost Containment Options

Most cost containment measures are incentives (positive or negative) on plan members or medical care providers to change their traditional approach to medical care.

Cost containment incentives to promote more cost consciousness by plan members and/or more frugal practices by providers are of several types which were described in a publication by the National Governor's Association Center for Policy Research. They are as follows:

Prudent-HEALTH incentives, which encourage consumers to stay well. Examples include premium penalties for smokers, bonuses for maintaining weight-loss, pre-natal care benefits, well-baby check-up benefits, etc.

Prudent-BUYER incentives, which motivate consumers to take an active consumer role. These include 1) general cost sharing incentives (deductibles, co-insurance requirements) to give consumers a stake in controlling their medical costs and 2) specific incentives

to induce them to control particular high cost or overly prescribed services. Examples of specific incentives are pre-set benefits for surgery or some surgeries (to induce plan members to ask, "Is this needed and what will it cost?"); co-insurance reduction for less costly treatment options such as outpatient surgery; 100% payment for 2nd surgical opinions, etc.

Prudent-CONSUMER CHOICE incentives, which provide both the means and incentive for consumers to identify and choose more efficient, conservative providers over inefficient elaborate ones.

Examples include: 1) Preferred Provider Organization (PPO) and Health Maintenance Organization (HMO) options. These options permit plan members to choose providers who have agreed to lower service fees (PPO) or to flat, pre-paid fees (HMO); 2) co-insurance requirements coupled with information on which providers are most efficient and least costly; and 3) case management (assessment by third party medical personnel of what proposed high-cost procedures and charges are appropriate and will be covered by the plan).

PROVIDER incentives which induce providers to hold down costs and nonessential treatment. Examples include 1) making arrangements which offer PPO or HMO providers more business in exchange for lower service fees (PPO) or flat fees per participant (HMO); 2) compiling data showing how providers' fees and efficiency ratings compare; and 3) pre-setting payment schedules for each diagnosis based on the cost and treatment that would normally be required and reasonable.

The cost impact of these options vary. However, all cost containment options mean a change in the way we traditionally view and use our health care system. Employees, employers, and health care providers will have to take an active interest in the economics of medical care. The costs will certainly affect us all.

If you would like more information or would like to express your views on how the State plan should respond to spiraling health care costs, please call 444-3871 or write to the Employee Benefits Section, State Personnel Division, Department of Administration, Mitchell Building, Helena, Montana 59620. Plan administrators and the State Employee Group Advisory Council would like to hear from you.

STATE EMPLOYEE GROUP BENEFITS ADVISORY COUNCIL MEETS

The State Employee Group Benefits Advisory Council met on February 18 to begin planning proposals for the '87-'88 benefit year beginning September 1, 1987.

The main agenda item was review of a draft request for proposals for claims administration services for the '87-'88 and subsequent two benefit years. At its November 6th meeting the Council had unanimously agreed that the state contract for claims administration should be put out to bid. The current three-year contract with Blue Cross/Blue Shield (formerly Montana Physicians' Service) will end at the end of this benefit year, August 31, 1987.

The Council also requested staff research of four possible plan modifications for future consideration: pre-admissions certification, lower cost prescription drug options (Blue Cross/Blue Shield data revealed that prescription drugs was one of the highest cost benefit categories), early hospital discharge incentives, and incentives to reduce the cost of non-emergency medical care.

Scott Seacat, Legislative Auditor attended the meeting as a newly appointed member. He will fill the Legislative branch seat vacated by Diana Dowling when she left the Legislative staff to become the State Lottery director.

For further information please call Joyce Brown, 444-3871.

NEW COMPENSATORY TIME AND OVERTIME RULES PROPOSED

Since state government is now subject to the provisions of the federal Fair Labor Standards Act (FLSA) and its regulations, new state compensatory time and overtime rules have been proposed to comply with the federal law.

Currently, rules for the administration of compensatory time for exempt employees and overtime for non-exempt employees are found in our policy, 3-0210, Compensatory Time and Overtime. Since non-exempt employees may now be allowed to accrue and use compensatory time, but on a different basis than exempt employees, the State Personnel Division has proposed the repeal of the current rules. In place of the current policy, two sets of new rules have been proposed: one addressing compensatory time for exempt employees and one addressing overtime and compensatory time in lieu of overtime for non-exempt employees.

The proposed compensatory time rules which apply to exempt employees include:

1. a statement of the purpose and objective of compensatory time for exempt, salaried employees;
2. the addition of language to clarify the end of the year forfeiture requirement and exceptions to this requirement for exempt compensatory time;
3. the reduction of advisory language concerning the approval of exempt compensatory time;
4. an emphasis on management's authority to approve or disapprove the accrual and use of exempt compensatory time; and
5. the continuation of the practice of counting all hours in a pay status including compensatory time as hours worked.

The proposed compensatory time and overtime rules which apply to non-exempt employees direct state agencies to follow federal requirements when administering overtime and compensatory time in lieu of cash overtime and provide some additional requirements which must be followed.

The following summarizes the major requirements of the federal law and its regulations for non-exempt employees.

1. State agencies may, at their discretion, allow some or all of their non-exempt employees to accrue and use compensatory time off instead of paying cash for overtime hours worked.
2. State agencies are not required to offer compensatory time for non-exempt employees.
3. Compensatory time for non-exempt employees must be accrued at one and one-half time for hours worked over 40 in a workweek and the federal law sets maximum accrual amount.
4. Non-exempt employees must agree in advance to receive compensatory time off in lieu of receiving cash overtime compensation.
5. Unused compensatory time accrued for non-exempt employees must be cashed out upon termination and the federal regulation includes specific cash out requirements which must be followed.

In addition to the federal requirements, the proposed overtime and compensatory time policy for non-exempt employees includes the following provisions:

1. Prior approval to work hours which result in the payment of overtime or accrual of compensatory time.
2. A requirement that any used compensatory time be cashed out when a non-exempt employee transfers from one agency to another.
3. A provision which allows state agencies to establish a lower maximum accrual than that provided in federal law.
4. A provision allowing state agencies to pay cash for all or any portion of a non-exempt employee's accrued compensatory time balance.

A public hearing is scheduled at 12:15 p.m., Thursday, April 28, 1987, in Room 136, Mitchell Building, Helena, to receive comments on both sets of proposed rules. Written comments may be submitted to State Personnel Division Administrator Laurie Ekanger, until May 5, 1987.

Interested persons may obtain a copy of the proposed rules by contacting Barb Charlton, 444-3983.

PERSONNEL POLICY NETWORK TO DISCUSS PERSONNEL-RELATED LEGISLATION

The Personnel Policy Network will meet on Tuesday, April 7, 1987, in the State Personnel Division Conference room to discuss personnel issues which may be affected as a result of the legislative session.

Bills have been proposed addressing holidays, veterans preference, wrongful discharge, full benefits for employees with reduced hours due to budget cuts, workers' compensation, public employee retirement system, employee's pay, and incentive awards. Representatives from appropriate divisions in state government will be at this meeting to brief agency personnel officers on the status of these bills.

Other topics that may be discussed include an update of proposed compensatory time and overtime rules and possible changes to the sick leave fund rules. All members of the Personnel Policy Network are encouraged to attend the meeting

For further information, call Barb Charlton, 444-3983.

PRO-HEALTH PROJECT WELL RECEIVED

Since the Pro-Health Project kicked off in January, over 1300 Helena based employees, retirees, state legislators, and spouses have received health screenings. All health screenings to be provided in Helena this season are now completed. The rest of Helena based employees will be offered health screenings in the Fall.

Screening follow-up sessions have been conducted and results returned to those participants screened in January. Those who could not attend the follow-up will receive their screening results in the mail at their home address and be given an opportunity to participate in future follow-up sessions. Most of the remaining follow-up sessions in Helena will be the week of March 23.

The follow-up sessions are designed to help participants interpret the results of their health screening, and provide them with the opportunity to apply for Stay Well, Well, Well risk reduction programs. These include weight loss, smoking cessation, blood pressure and cholesterol management, and exercise programs.

Beginning in April, health screenings will be conducted in Billings and the eastern half of the state. Employees in the western half of the state will be screened next Fall.

The State Personnel Division will be provided a composite health profile of the state workforce when all screenings are completed. Saint Vincent Hospital personnel, who performed the screenings, cited elevated cholesterol as a prevalent problem in the state employee population, based on screenings results to date. Participants with extreme or abnormal health screen results were referred others to their physician for further assessment.

For more information on the health screening, please call the Employee Benefits Section of the State Personnel Division at 444-3871.

GCED MEETS

The Governor's Committee on Employment of the Disabled (GCED) met on March 4. A primary purpose of the meeting was to issue a press release stating GCED's opposition to House Bill 38. This bill drastically alters the current law for veterans and handicapped persons employment preference.

The Governor's Committee was joined in its opposition to HB 38 by the Rehabilitation Services, Visual Services, and Independent Living Advisory Councils in a joint statement issued by the Councils on March 3.

In other business, two new members were introduced to the Committee. Job changes have resulted in the resignation of Committee members Kenneth Luraas and Mike Batista. Dan Newman, AFL-CIO representative is replacing Luraas. Gordon Hage of the Department of Justice is the Member-at-Large.

The Committee decided to sponsor and hold its next meeting in conjunction with a special video-teleconference titled, "Employment of the Disabled." The teleconference, facilitated by the Office of Public Instruction and organized by Oklahoma State University, will feature a panel of experts from both the public and private sectors. Forty-five minutes of the two hour program is set aside for call-in questions.

Other agenda items included the review of bills affecting the disabled; an explanation of the "Farm in the Dell" project by Lowell Bartels; media relations; and awards ceremonies. The next GCED meeting will be held May 8, 1987, at 9:30 a.m., in the Glacier Room of the DNRC Building.

For further information call Ron Wilson (444-3886) or Linda Davis (444-3796).

DISCIPLINE HANDLING GUIDE

NOW AVAILABLE

Handling disciplinary actions effectively is critical to successful personnel management. The State Personnel Division has prepared a Discipline Handling Guide, designed specifically for state supervisors and managers. The Guide will help managers understand their role in establishing good discipline in the workplace, as well as effective, appropriate ways to administer disciplinary action.

Concepts covered in the guide are "Discipline and Effective Supervision," "The Progressive Discipline Process," and "Critical Concepts of Discipline." Procedures covered in the Guide are "Informal Disciplinary Actions," "Formal Disciplinary Actions," "Conducting Disciplinary Meetings," and "Employee Assistance." Sample forms for corrective interviews, written warnings, and suspensions are included in the Guide.

Agency directors, personnel officers, and chief legal counsel have received copies of this Guide. Agencies may purchase additional copies for $2.75 each by contacting Betty Morris, State Personnel Division, 444-3985. The charge covers the cost of printing. The Guide is not state policy or administrative rule and agencies are not required to use it.

The Professional Development Center offers courses on discipline handling which expand on the Discipline Handling Guide. For information about future courses or to arrange a course tailored for your agency, call the PDC, 444-3749.

MONTANA PERSPECTIVES

The Professional Development Center takes great pride in offering high-quality, low cost, locally produced training to meet the needs of managers, supervisors, and employees in government. Examples of this are the training seminars being offered during the month of April.

Preventing Wrongful Discharge - This course covers employee rights, management rights, and the proper approach to supervision that will preclude charges of wrongful discharge. John Moore of the PDC staff will present this seminar from 8:30 a.m. to 4:30 p.m. in Glasgow, April 30 and Shelby, May 1. Cost is $60.00.

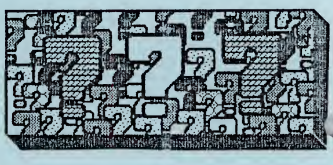
You, Inc: Transforming Work into a Growth Experience - This course is designed for secretaries and administrative assistants who are responsible for handling important details for their supervisors, and who want to learn how to make the job more interesting and themselves even more valuable. Mary Ellen Campbell, Assistant Professor at the University of Montana is the seminar leader. The class will be held on April 23, and the cost is $65.00.

How to Keep Your Job from Making You Sick - What you don't know about everyday stress can kill you! This course is designed to increase individual and organizational effectiveness and to reduce errors. The instructor for this class is a clinical psychologist on the staff of St. Peter's Community Hospital. Come to the session in casual clothes, and be prepared to begin getting more out of life. Cost of the one-day seminar is $35.00. The class will be in Helena on April 28.

You, Inc: Charting Your Career - Whether you are looking at making a career change or looking for ways to advance on your existing job, there are things you can do now, and actions you can take daily, that will improve your opportunities. John Camper of the PDC staff is the instructor for this one-day seminar scheduled for April 29. Cost is $50.00.

Principles of Management - Essentials of Management - Both of these management seminar series will get underway during April. The six-part Principles of Management will begin April 17. The seven-part Essentials of Management course will begin April 29. See your personnel representative for further details.

For more information regarding these and other classes offered by the Professional Development Center, call 444-3985.



POLICY PURSUIT

QUESTION:

Sarah, a new state employee, shares a work area with two male employees who regularly exchange sexually oriented comments about other female employees of the work unit. Sarah has found these comments disturbing and disruptive even though they have not been about her or directed at her. She has let both male co-workers know that she has found their comments offensive. Her objections, if anything, seem to have caused an increase in the frequency and descriptiveness of their remarks. She has contacted her immediate supervisor and wants to know if she can file a sexual harassment complaint.

POLICY PURSUIT

ANSWER:

In checking the State's sexual harassment policy (3-0620), Sarah's supervisor finds that the definition (2.21.1303) states (1) "Sexual harassment" means any unsolicited comments, gestures or physical contact of a sexual nature when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

He finds that part (c) seems to directly describe the situation Sarah has complained of and is sexual harassment.

In following the Sexual Harassment Complaint Procedure (2.21.1305) he notifies the agency's EEO Officer who aids him in investigating the complaint. The investigation results in the employees admitting to the behavior Sarah has described but stating that they were just "kidding around" and didn't realize it was a violation of policy and law. They immediately offer personal apologies to Sarah.

After consulting with Sarah who says she just wanted the problem solved and wants to promote good working relationships, the EEO Officer, in his report to the agency director (required by 2.21.1205 3.d) recommends an informal action (2.21.6508) requiring the offending employees to attend sexual harassment training, and warning them that further misconduct will result in formal disciplinary action which could include dismissal. The agency director concurs with this recommendation.

PROFESSIONAL DEVELOPMENT CENTER

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
APRIL		1	2	3
6	7 Pre-retirement Seminar- **Great Falls**	8 New Employee Orientation	9 **EOM-Leading Glasgow** Interviewing Skills	10 **EOM-Organizing Glasgow**
13	14	15 Property Accountability Mgmt System	16 Remote Supervision Property Accountability Mgmt System	**POM-Control** 17
20	21 Motivation	**POM-Programs** 22	23 **EOM-Delegating Glasgow**	**EOM-Operating Glasgow** 24
27	**POM-Information** 28 How To Keep Your Job From Making You Sick	**EOM-Leading** 29 You, Inc: Charting Your Career	**EOM-Organizing** 30 Preventing Wrongful Discharge **Glasgow**	

Montana Personnel Perspectives is published monthly by the Department of Administration, State Personnel Division. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced by state agencies without permission. Comments should be directed to the State Personnel Division, Mitchell Building, Helena, Montana (444-3871).

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MONTANA PERSONNEL PERSPECTIVES

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PUBLIC HEARING COMPENSATORY TIME AND OVERTIME RULES April 28, 1987

Proposed changes to the state's Compensatory Time and Overtime Policy have been formally noticed for adoption as administrative rules. A public hearing is scheduled at 12:15 p.m., Thursday, April 28, Room 136, Mitchell Building, to receive comments on the proposed changes. Written comments may be submitted to the State Personnel Division Administrator, Laurie Ekanger, until May 5, 1987. New state compensatory time and overtime rules have been proposed because state government must now comply with the provisions of the federal Fair Labor Standards Act (FLSA).

The State Personnel Division has received a copy of the final federal regulations on the application of the FLSA to employees of state and local governments (29 CFR Part 553). One copy of the final regulations was sent to the Personnel Officer at each state agency.

Interested persons may obtain a copy of the final federal regulations by contacting their agency personnel officer or writing to:

U. S. Department of Labor
Wage and Hour Division
3420 Federal Building
125 South State Street
Salt Lake City, UT 84138

For further information about the public hearing on compensatory time and overtime rules, contact Barb Charlton, 444-3983.

INCENTIVE AWARDS PROGRAM

LAW CHANGE

The Governor signed House Bill 755 into law on March 24. The law changes the maximum award amount from $1500 to $3000. A language change was made in 2-18-1106(2), MCA, which clarifies that agencies shall grant an award of 10% of savings, if an estimate of savings can be made. The previous language indicated that the 10% was at agency discretion.

Proposed rules incorporating the law change, extending time frames, and clarifying employee responsibilities will be circulated within the month. A hearing date will be set for the proposed changes.

AWARD GIVEN

On March 30, Governor Schwinden presented a $500 award to Jean Truyter. Ms. Truyter suggested a procedure to match computer listings of persons owing child support payments which increased collections. Ms. Truyter works as an investigator for the Department of Revenue in Butte.

ADVISORY COUNCIL MEETS

The Incentive Awards Advisory Council met on March 27 and reviewed 29 suggestions. The Council also discussed proposed administrative rule changes since House Bill 755 passed.

For further information concerning the Incentive Awards Program, contact Debi Flentie, at 444-3887.

PERSONNEL OFFICERS BRIEFED ON LEGISLATION

Personnel officers were briefed April 7 on the status of legislation relating to personnel, health benefits, public employees' retirement and workers' compensation at a meeting of the Personnel Policy Network.

Laurie Ekanger of the State Personnel Division, Linda King of the Public Employee's Retirement Division and Jim Murphy of the Workers' Compensation Division explained the status of various bills. (A list of bills which have been passed and signed by the Governor will appear in the May issue of the Personnel Perspectives.)

Other activities announced at the meeting are changes in some EEO reporting forms, and creation of task forces and revision of rules relating to holidays, the pay plan, sexual harassment, and the sick leave fund.

For additional information about the Network meeting, call Gale Kuglin, at 444-3984.

CALEB MILLS APPOINTED TO SICK LEAVE FUND COUNCIL

Gov. Ted Schwinden has appointed Caleb Mills of the Department of Highways to serve on the Sick Leave Fund Advisory Council. Mr. Mills fills one of the four seats on the council allocated to executive branch agencies. He replaces Linda Skaar, who has retired from state government.

For more information about the Sick Leave Council, call Gale Kuglin, 444-3984.

EEO PURSUIT - QUESTION

Does all vulgar language or profanity constitute sexual harassment?

WOMEN IN EMPLOYMENT ADVISORY COUNCIL

The Women in Employment Advisory Council (WIEAC) met in March and took a stand on two major pieces of legislation of interest to women in Montana.

A Council proposal to provide transitional child care for former recipients of Aid to Families with Dependent Children (AFDC) was incorporated into HB 888 titled "The New Horizons Act." The New Horizons Act is sponsored by Rep. Cal Winslow and would allow former AFDC recipients to receive child care assistance on an as-needed basis for up to 6 months of employment.

The Council discussed HB 519 which would repeal the state's non-gender insurance law. The Council supports the current law and asked the Governor to veto the repeal of non-gender.

The Women in Employment Advisory Council (WEIAC) is a council established to gather information, furnish advice, and make recommendations to the Governor on issues of concern to women. The Council will meet again on May 30, 1987.

For further information on Council activities or membership, please contact Barb Charlton at 444-3983.

HEALTH NOTES

American health consciousness has extended to reading. In 1977, self-care books were only three percent of non-fiction, bestseller, hardcover book sales. By 1981, that increased to 23 percent. Circulation of health magazines doubled between 1970 and 1980.

For people trying to lose (excess) fat, cheese consumption should be low or moderate because cheeses are generally high in fat. Worst Offenders are cheddar, American, edam, feta, provolone and commercial cheese spreads. Moderate amounts of part-skim mozzarella, low-fat cottage cheese, etc. are best cheese choices.

Wisdom teeth aren't bad. They are the third set of molars and our jaws have evolved to the point that most people no longer have room for them. If you have wisdom teeth which aren't causing pain, swelling or crowding, it is best to leave them be.

You don't need $1,500 for fancy home exercise equipment. $150-$175 can buy the basics: a few dumbbells, a padded exercise mat and a stand to convert your regular bicycle to an exercise one.

Studies show that smoking interferes with and decreases the effectiveness of many common drugs such as tranquilizers, painkillers and drugs for the heart and lung. Smokers who take these and other daily medications should check with their doctors about any adjustments in their medicines made necessary by smoking.

"Copyright 1987, Health Incentives, Missoula, Montana. Reprinted with permission."

EEO PURSUIT - ANSWER

Not all vulgar language or profanity constitutes sexual harassment. For example, if profanity has been commonly used and accepted in a particular workplace such as a male dominated blue collar environment, the entry of a woman who found profanity offensive into that workplace would not automatically create a case of sexual harassment. However, vulgar language or profanity of a sexual nature which is directed to or is about a man or woman, or is being used in someone's presence for the purposes of intimidation; could be construed as sexual harassment. Such language may be unacceptable for other reasons and managers do not need to tolerate its use.

According to the EEOC and a recent U. S. Supreme Court decision, unwelcome verbal conduct of a sexual nature is sexual harassment when it has the purpose and effect of unreasonably creating an intimidating, hostile, or offensive working environment. This is the most common and least reported form of sexual harassment according to numerous surveys conducted over the past 10 years. If sexual harassment is not reported, it almost always escalates.

For additional information, call Linda Davis at 444-3796.

SAVINGS BOND DRIVE

The 1987 Savings Bond Drive is almost here! It will begin May 20 and will run through June 5. This year's theme is "WE BELIEVE IN AMERICA", and today's U. S. Savings Bonds are as profitable as they are patriotic. The current guaranteed minimum rate on bonds is 6.06%...considerably higher than current rates on most passbook accounts, averaging around 5%. And, they are a great way to save for your children. So get ready, your opportunity to increase your current savings or become a new saver is on the way!

Agency coordinators have been appointed. More information will be available with May paychecks.

MONTANA PERSPECTIVES

Once again, the Professional Development Center is offering a full schedule of classes designed and produced especially for public service employees throughout the state. Some of the highlights from the schedule of classes for June are shown below.

PREVENTING WRONGFUL DISCHARGE CLASS - ON THE ROAD AGAIN!

John Moore of the Professional Development Center will be presenting his day-long Preventing Wrongful Discharge seminar throughout the state in coming weeks. This seminar covers employee rights, and the proper approach to supervision that may reduce charges of wrongful discharge. Although intended primarily for officials in state and local government, this seminar is applicable to anyone who employs others. Cost of the seminar is $55.00. The schedule is as follows:

April 30	Cottonwood Inn, Glasgow
May 1	Quality Inn of Shelby, Shelby
May 14	Royal Inn, Dillon
May 22	Yogo Inn, Lewistown
June 3	Extension Service Office, Hamilton
June 11	Yellowstone Inn, Livingston

WOMEN IN MANAGEMENT Women in management positions face the usual day-to-day problems that face all managers. However, they have additional pressures placed upon them by traditional and societal expectations. Vondene Hopkins, a management consultant who has many years in management positions herself, addresses these issues in a realistic and forceful manner and presents methods and measures women can use to cope with the pressures of their situation. The workshop will be held from 8:30 - 4:30, May 13, in the Montana Training Center, DNRC Building, Helena. Cost of the seminar is $65.00.

REPORT WRITING Anyone who has responsibility for preparing, compiling or editing reports, whether frequently or infrequently, will benefit from this seminar taught by Ray Fenton. Ray Fenton is an acknowledged expert in the writing field and a popular seminar instructor in Montana and throughout the upper west. The two-day seminar will begin at 9 a.m. and end at 4 p.m., May 14 and 15 in the Montana Training Center, DNRC Building, Helena, Cost of the two-day seminar is $60.00.

FUND RAISING AND GRANT WRITING These two seminars, offered by James L. Cox, Development Director for Operations, Oregon Shakespearean Festival, are aimed at anyone with an interest in fundraising or charged with responsibility for procuring grant funds for projects or programs. The Fund Raising seminar will be offered on May 21, and will be followed by the Grant Writing seminar on May 22. Mr. Cox has raised over $1 million annually for one of the oldest, not-for-profit professional theatres, and has taught grantsmanship and fund raising for Southern Oregon State College and many other organizations in Oregon and Washington.

Each seminar will cost $85.00, however, those attending both seminars will be charged a total of $150.00. The seminars will be conducted in the Coach House Inn East in Helena, from 8:30 a.m. to 4:30 p.m.

Anyone desiring further information about these or other seminars and workshops offered through the auspices of the Professional Development Center, is urged to contact their personal representative or call the PDC at 444-3985.

SUIT YOURSELF

Go ahead..."SUIT YOURSELF." Maybe you want help with "Managing Yourself" or "Understanding Stress" or possibly "Making Personal Changes." Maybe you desire to learn "The Basics of SBAS" or how to use "Power Communication." Maybe your pleasure would be help with "Making Career Changes." The state Interdepartmental Coordinating Committee for Women (ICCW) is sponsoring a training series that has something for everyone.

This series will run April 15 through May 19, with workshops being presented weekly. The time is right... the price is really right ($10 per session or all 6 for $50)...and with the help of the Professional Development Center (PDC), some top notch speakers have been lined up. So do not hesitate - call PDC today!

For further information, call 444-3985.

PDC TRAINING SCHEDULE
SECOND QUARTER - 1987

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
APRIL		1	2	3
6	7 Pre-retirement Seminar- Great Falls	8 New Employee Orientation	9 EOM-Leading Glasgow Interviewing Skills	10 EOM-Organizing Glasgow
13	14	15 Property Account-ability Mgmt System	16 Remote Supervision Property Account-ability Mgmt System	17 POM-Control
20	21 Motivation	22 POM-Programs	23 EOM-Delegating Glasgow	24 EOM-Operating Glasgow
27	28 POM-Information How To Keep Your Job From Making You Sick	29 EOM-Leading You, Inc: Charting Your Career	30 EOM-Organizing Preventing Wrongful Discharge Glasgow	MAY 1 Preventing Wrongful Discharge Shelby
4	5 Editing Skills	6 POM-Budgets St. Acctng Policy & Year-end Procedures	7 EOM-Delegating Helena EOM-Controlling Glasgow Approach, Supvr	8 EOM-Synthesis Glasgow
11	12 POM- Special Issues	13 Women in Management	14 EOM-Operating Preventing Wrongful Discharge Dillon Report Writing	15
18	19 EOM-Evaluating Preventing Sexual Harassment	20 POM-Synthesis	21 Media Relations Fundraising	22 Get that Grant! Preventing Wrongful Discharge Lewistown
25 (MEMORIAL DAY)	26 You, Inc: Financial Planning	27 EOM-Controlling	28 EOM-Synthesis	29
JUNE 1	2 Your Diet, Your Health Pt 1 Supervisory Clinic	3 Preventing Wrongful Discharge Hamilton	4 Managing Time Your Diet, Your Health Pt 2	5
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For further information call us at 444-3985 or 444-3774

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MONTANA PERSONNEL PERSPECTIVES

Number 2
Volume VII

May 1987

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ACTION ON PERSONNEL LEGISLATION SUMMARIZED

Many personnel-related bills were introdueed and debated during the 1987 Legislature. Major legislation which passed into law is summarized here.

HB 233 establishes a pay freeze for classified and exempt state employees for the 1988-89 biennium.

HB 708 modifies holidays beginning in 1988. Starting next year, Lincoln's and Washington's birthdays will be combined into one holiday in February, which will be observed the third Monday of the month. A new holiday, Heritage Day, was created. The Governor will establish the date for this holiday for state employees, including the university system. Local jurisdictions have the authority to establish their own Heritage Day date. Martin Luther King Jr.'s birthday will not be a holiday. The new law instead calls for an observanee of his contributions to American society on the third Monday in January.

HB 755 permanently raises the maximum Employee Incentive Award to $3,000.

HB 870 and HB 871 provide for salary adjustments for all institutional teachers and teachers at the Montana School for the Deaf and Blind.

SB 136 provides full benefits for employees whose hours have been reduced due to budget deficits. The State Personnel Division has sent a memorandum to agencies describing in detail this bill's effect on sick and annual leave accruals. The Public Employees Retirement Division will be issuing rules to address the retirement provisions of this bill.

SB 197 provides for the appointment of a retiree as a voting member on the Employee Group Benefits Advisory Council. In the past, the retirees' representative was not a voting member.

SB 315 provides for significant revisions to the state's workers' compensation laws. The bill also provides for preference in hiring individuals who are able to return to work within two years of an injury covered by workers' compensation. The Workers' Compensation Division should be contacted for additional information about this bill.

SB 338 regulates testing of blood and urine for employees and prospective employees. It places restrictions on blood and urine testing as a condition for employment and creates minimum requirements for testing procedures.

HB 241 regulates wrongful discharge disputes. This bill defines what constitutes wrongful discharge and restricts available remedies.

For information about these or other bills, call the Employee Relations Bureau, 444-3871.

PERSONNEL NETWORK MEETING

The Personnel Policy Network will meet on Wednesday, June 10, 1987, in the State Personnel Division conference room to review changes to the state pay rules.

The legislature passed HB 233 which freezes state employees' pay for the next biennium. The state pay rules are being revised to include the pay freeze and other changes recommended by the Pay Plan Exception task force. Draft rules will be distributed to agencies and interested parties for review prior to the June 10th meeting.

Other topics to be discussed include changes to the sick leave fund rules and the implementation of other personnel-related changes as a result of the legislative session. All members of the Personnel Policy Network are encouraged to attend the meeting.

For further information call Barb Charlton at 444-3983.

HEALTH NOTES

The miracle food for dieting may be carbohydrates (bread, cereal, potatoes, etc.). Research seems to show that very few calories from these foods get converted to body fat. A cup of plain popcorn has 25 calories when hot air popped or popped in the microwave with no oil and a salt substitute.

Automobile crashes cost this country about $70 billion each year. Car smushes and smashes are the number one cause of lost work time and employee deaths. In terms of preventing risk to life and health, buckling your seat belt has more impact than stopping smoking, quitting drinking and losing weight.

A recent North Carolina study pinpointed how to bore your friends and colleagues to glassy-eyed tedium. The most boring behaviors are non-stop, negative complaining; unending talk about a single uninteresting topic; and ingratiating attempts at (non-funny) humor.

The quick 30-second pass over your teeth won't save you from cavities and gum disease. It only removes 10 percent of the plaque. It takes a full five minutes of brushing to remove the most plaque possible. Best to do it at night when bacteria in your mouth are most active. Floss afterwards to remove the stuff between your teeth.

It's now possible to donate blood to yourself if you will be having surgery and are worried about disease-free blood. Most blood banks and Red Cross units work cooperatively with doctors to draw and store blood a few weeks before surgery. In some larger cities, freezing your own blood for an indefinite time as a hedge against accidents and the unforeseen is a possibility.

If the non-dairy coffee creamer jar proclaims "no cholesterol" it may mean only misleading advertising. These products, while lacking cholesterol, usually contain coconut or palm oils or other saturated fats. They can raise your blood cholesterol as much or more than the real stuff. Skim, regular or skim evaporated milk (or black coffee) are better choices.

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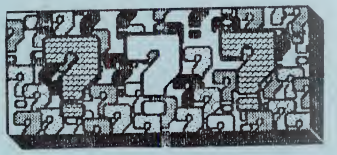
INCENTIVE AWARDS RULES HEARING

A public hearing to receive testimony on proposed changes to the incentive awards rules is scheduled for June 4 at 12:15 p.m. in Room 136 of the Mitchell Building.

The proposed rules are amended to reflect the changes provided for in HB 755 which raised the ceiling for incentive awards from $1,500 to $3,000, and to clarify agency and employee responsibilities. Copies have been sent to Department Directors and Personnel Network members. Written comments will be accepted until June 11.

For additional information call Debi Flentie, 444-3871.



EEO PURSUIT

QUESTION

Are there situations where sexual harassment is more likely to occur or employees who are more likely to be victims or who may be harassers? Can managers and EEO officials spot these situations so preventative action can be taken?

ANSWER

Sexual harassment can happen to anyone in any workplace. Hundreds of surveys on sexual harassment have been conducted in the past ten years. Typical profiles have been developed of victims, harassers, and situations where sexual harassment is most likely to occur.

Surveys show that statistically, the victims were likely to be women. Women victims were likely to be younger than the harasser and men victims tend to be older. Women victims tend to be single or divorced. Victims are likely to be in entry level positions and in a non-traditional position for their sex. They work for an immediate supervisor of the opposite sex and in a work group composed predominantly of the opposite sex.

Statistically, the harassers were likely to be men. Harassers who are men tend to be older than the victim and women who are harassers tend to be younger than the victim. Harassers are usually married (men more frequently indicated that the harasser was single or divorced). They are of the same race or ethnic background (although minority women indicated that the harassers were more often of a different race). They are harassing more than one victim.

The EEOC guidelines on sexual harassment state:

> "Prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned."

If managers and EEO officers follow these guidelines, and make themselves aware of situations and areas of risk, the potential for sexual harassment can be reduced.

For additional information on sexual harassment training or the EEOC guidelines, call Linda Davis at 444-3796, or Ron Wilson at 444-3886.

1987 SAVINGS BOND DRIVE

The 1987 U. S. Savings Bond Drive has begun! Canvassers will soon be making personal contacts to assist individuals with "signing up." Everyone should have received their materials with the May 20 payroll. If you haven't received yours, please contact your payroll clerk!

Falling interest rates have made Series EE U. S. Savings Bonds an attractive investment. While current rates for money market and passbook accounts average approximately 5%, U. S. Savings Bonds have a guaranteed minimum interest rate of 6%! And, because the interest rate for the Series EE Bonds is market-based, if interest rates rise, so will the yield on the bonds - with no upper limit!

The Drive will officially end June 5, so do not hesitate. If you have any questions on savings bonds or on this year's drive, please contact your agency coordinator, as identified by your agency personnel office, or call Nan LeFebvre at 444-2032.

DEFERRED COMPENSATION

The Master Funding Agreement with Nationwide Insurance has been amended effective May 1.

The amendment clarifies withdrawal options available to participants when leaving state employment. Additional information will be distributed to participants with their July statements.

For more information on the Deferred Compensation Program, please call Debi Flentie at 444-3871.

MONTANA PERSPECTIVES

The Professional Development Center has arranged another full training schedule for the month of June. Some of the highlights are:

Supervisory Clinic will be offered on June 2nd and 3rd in the Montana Training Center, DNRC Building, Helena, from 8:30 to 3:30. This popular two-day seminar will be facilitated by Gretchen Bailey, management consultant from Billings. It is an opportunity for supervisors with specific employee problems to learn methods and means to improve the situation. Cost is $95.00.

Strategies For Women Who Work, June 10, in the Montana Training Center, DNRC Building, Helena, from 8:30 to 4:30. Vondene Hopkins of Havre will present this seminar. Ms. Hopkins has conducted this seminar before, and has received excellent reviews each time. It is intended for all women holding jobs outside the home, and addresses the unique problems they face. Cost is $65.00.

Assertive Communications is another seminar offered by Vondene Hopkins in the Montana Training Center, DNRC Building, Helena, from 8:30 to 4:30, on June 18. This seminar will assist those attending to clearly and firmly communicate their messages without offending. Cost of the seminar is $60.00.

Managing Performance is scheduled for June 17, in the Montana Training Center, DNRC Building, Helena, from 8:30 to 4:30. The seminar is intended for managers and supervisors concerned about meeting objectives and measuring performance of all employees. Seminar leaders will be Jim Burgess and John Moore of the Professional Development Center staff. Cost is $55.00.

Delegation is taken from the seven-part Essentials of Management curriculum, and covers the problems, and methods of proper delegation from supervisor to employee. The class will be conducted in the Montana Training Center, DNRC Building, Helena, from 8:30 to 4:30 on June 24. Instructor for this session will be T. Gary Curtis, Administrator of the Unemployment Insurance Division, Labor and Industry. Cost of the seminar is $55.00.

For further information concerning these and other courses offered under the auspices of the Professional Development Center, see your Personnel Representative, or call the PDC at Helena, 444-3985, or 444-3855.

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	Supervisory Clinic		Your Diet, Your Health Pt 2	
8	Workplace Problems 9	Strategies for Women Who Work 10	Telephone Courtesy 11	12
	Contemporary Writing Skills for Managers		Preventing Wrongful Discharge **Livingston**	
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	Effective Presentations			
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INCENTIVE AWARDS GIVEN

Governor Schwinden recently presented Incentive Awards to the following employees:

Perry Nielsen received a $25.00 award on April 13. Mr. Nielsen was recognized by the Department of Administration. His suggestion for using smoke eaters in the work place was submitted prior to legislation requiring mandatory non-smoking areas. He is an appraiser for the Department of Revenue in Great Falls.

Bernard Bodt received a $62 award on May 12 from Social and Rehabilitative Services. Mr. Bodt suggested establishing a master maintenance contract for Pitney Bowes machines which is estimated to save $620.00 He is a Mail Clerk Supervisor for SRS in Helena.

Terye Rouse received a $100 award on May 12 from the Department of Institutions. Ms. Rouse's suggestion will result in reduced waste of food at the Women's Correctional Center. She is a Correctional Officer in the Department of Institutions.

Perry Jones received a $265.29 award from Social and Rehabilitative Services on June 2. Mr. Jones suggestd a policy change for travel reimbursement for SRS employees which is estimated to save $2,653 per year. He is a training and contract manager for SRS in the Miles City Developmental Disabilities Division.

For more information on Incentive Awards, contact Debi Flentie at 444-3887.

IMMIGRATION AND REFORM CONTROL ACT OF 1986

The final regulations on the Immigration and Reform Control Act were issued by the Federal Government on May 12, 1987.

The final rules modify the proposed rules by: 1) adding definitions to clarify the regulations; 2) allowing additional documents showing evidence of employment eligibility; 3) providing a final I-9 form; 4) providing an exception to the three day rule in cases where the individual has lost a document or has not yet obtained proper identity or work authorization documents. In such a case, the individual is required to present a receipt for the application of the document within 3 days and present the document within 21 days; 5) expanding from one to three years the period of validity of the I-9 for rehiring purposes; 6) requiring employers to retroactively verify employees who were hired after November 6, 1986, and continue to be employed. These employees must be verified on or before September 1, 1987; 7) requiring employers to use the final version of the I-9 for verifications performed on or after June 1, 1987.

The final regulations, a final copy of the I-9 form, and the I-9 handbook for employers were distributed to agency personnel officers in May.

If you have further questions regarding the Immigration and Reform Control Act, call your agency personnel officer, or Linda Kaiser at 444-3794.

PERSONNEL NETWORK MEETS JUNE 10

Personnel Officers discussed proposed changes to the state's Pay Plan Rules and a draft guide on pay plan exceptions at the June 10 Network meeting. Significant changes to the rules include the addition of intermittent and temporary employees to the rule on New Hire/Rehire of Seasonal Employees and revision of the rule on training assignments. The guide was developed to assist agencies when drafting a request for an exception to the pay plan. Call Debi Flenti, 444-3887, for additional information.

Joan Siefert of the Classification Bureau outlined a proposal to reorganize class specifications for administrative assistants and other clerical/secretarial positions. Draft specifications have been distributed to agencies for review. For further information, call Ms. Siefert, 444-3805.

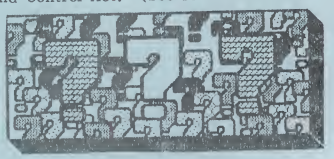
EEO Coordinator Linda Davis distributed a final draft of a new EEO Input and Emergency Information Form. The new form was designed in an effort to increase accuracy of workforce statistics on state employees. It will be implemented as part of the cycle of updating agency affirmative action plans, which will begin this fall. Ms. Davis is available to meet with agency management to discuss the state EEO/Affirmative Action program prior to the revision of AA plans. She may be called for further information at 444-3796.

The following information was also provided at the meeting. A public hearing on proposed amendments to the Sick Leave Fund rules is scheduled on July 8. Copies of the proposed amendments have been distributed to agency heads, personnel officers, and attorneys. The hearing begins at 12:15 p.m. in Room 136 Mitchell Building (the State Personnel Division Conference Room.) Written comments may be sent to Administrator Laurie Ekanger until July 10. For additional information, call Gale Kuglin, 444-3984.

New rules on Exempt Compensatory Time and Non-Exempt Compensatory Time and Overtime will be effective June 12. Copies of the new rules were sent to agencies for distribution to the Montana Operations Manual, Volume III. For additional information, call Barb Charlton, 444-3983.

Employee Relations Bureau Chief Mark Cress announced that HB 241, which defines wrongful discharge and provides remedies, and SB 315, which provides for changes in workers' compensation will be effective July 1. The State Personnel Division plans to distribute a memo to agencies outlining the major requirements of HB 241. In addition, the Department is reviewing the current rules on Discipline Handling and Grievances for possible revision as a result of this and other legislation and court rulings. SB 315 provides for an employment preference for workers injured after July 1, who are able to return to work within 2 years of injury. The State Personnel Division is meeting with Workers' Compensation Division to provide input on any rules which may be adopted in this area. For further information, call the Employee Relations Bureau, 444-3871.

Linda Kaiser distributed final versions of the I-9 form which must be used in the administration of the Immigration Reform and Control Act. (See related article.)



POLICY PURSUIT

QUESTION:

Can a male employee file a sexual harassment complaint?

Wise Drug Use

Older people use more medications than any other age group. This is because they frequently have long-term disease, pain or disabilities. Necessary medications play an important part in well being.

Drugs (all drugs) need to be used with caution and a large dose of common sense. Anytime you are taking more than three medicines a day, there is a possibility that one pill may interact with another and cause problems or change the way the medicine works for you. This includes all medicines, even those drug store items such as aspirin, laxatives, antacids, cold remedies and vitamins. Reasonable use of drug-store items (over-the-counter medicine) provides relief from ailments without an expensive visit to the doctor.

Frequently a senior citizen taking what would be considered an average drug dose will have side effects. These occur because normal age changes may cause the body to handle drugs differently. A distressing fact is that some of these side effects may go unrecognized. They may mimic what many consider common occurrences in elderly people: confusion, forgetfulness, depression or constipation. These things are not "normal." This doesn't mean you should avoid all pills, but the following steps can help you avoid problems without avoiding medicine and the help it may give.

° Let your doctor know all the medications you take, including drug store items.

° Understand your medication. Learn the name of the drug and your doctor's reason for prescribing it. Know what it is expected to do, what side effects, if any, you might expect.

° Remember, with normal age changes, lower dosages may work as well as higher doses, yet prevent side effects.

° Follow directions carefully. Ask your pharmacist about timing. Four times a day may mean four times during the waking hours or every six hours, around the clock.

° Always purchase all of your medicines at the same pharmacy. Your pharmacist can be very helpful if he has an accurate drug list.

° Do not stop taking your medication without consulting your doctor.

° Do not use other people's prescriptions.

° Make sure you are able to open the container your medicine is in.

° Most doctors do not realize the cost of medications. If money is a problem, ask about drug samples, generic brands or another treatment that may be less costly.

° Having more than one physician prescribing medications may also lead to problems. Again, make sure any doctor you see knows exactly what drugs you take.

° Have your need for a medication re-evaluated yearly by your doctor.

° When in doubt, ask! Ask your doctor, the nurse, or the pharmacist. Get written instruction, timetables or pill boxes to assure that you are following directions exactly.

Make sure you know what you are putting into your body, and know if it is really necessary.

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STATE TO CONTINUE CONTRACTING WITH BLUE CROSS AND BLUE SHIELD OF MONTANA PENDING SUCCESSFUL CONTRACT NEGOTIATION

The State's three-year contract with Blue Cross and Blue Shield for health and dental claims administration ends August 31st. Bids were solicited to secure claims administration services for the next three plan years. Ten companies submitted proposals and the State Employees Group Benefits Advisory Council interviewed the four lowest first year bidders. The Department of Administration accepted the Council's recommendation that the state stay with Blue Cross/Blue Shield, pending successful contract negotiations.

Blue Cross/Blue Shield was accepted because it was the lowest bidder with sufficient depth of staff and management and adequate back-up systems to handle State business without unacceptable risks. The only company offering a more favorable rate would have to double its operation to handle a group the size of the State.

For further information, call Joyce Brown at 444-2553.

POLICY PURSUIT

ANSWER:

Yes. In "Bundy v. Jackson", the District Court of the District of Columbia stated that "discrimination is sex discrimination whenever sex is for no legitimate reason a substantial factor in the discrimination."

Following this precedent an Illinois district court ruled that a male employee who was discharged because he refused overt homosexual advances made by a supervisor had cause to file a sexual harassment complaint. In another case, a Wisconsin district court jury found that a female supervisor who demoted a male employee because he refused to continue a sexual relationship with her was liable for sexual harassment.

For additional information on sexual harassment training, call Linda Davis at 444-3796, or Ron Wilson at 444-3886.

PROFESSIONAL DEVELOPMENT CENTER

MANAGEMENT DEVELOPMENT ADVISORY COUNCIL MEETS

The Management Development Advisory Council (MDAC) met May 21 to be updated on the various activities of the Professional Development Center and to provide advice about training needs within state government. Several new programs and activities were discussed and tentatively designed. These will be announced as final details are worked out. The Executive Order appointing the MDAC expires the end of June. There are vacancies existing on the council and new members will be appointed. For more information about this council call the PDC.

MONTANA PERSPECTIVES

"On the Road Again"

This summer the Professional Development Center will be "on the road again" with a series of special classes. Fire Me and I'll Sue will be a completely redesigned class aimed at helping managers avoid the danger of wrongful discharge due to discrimination or sexual harassment charges. The schedule for the class is:

Missoula (Orange Street Inn) - July 8
Great Falls (Sheraton Inn) - July 22
Butte (Copper King) - July 29
Bozeman (City Center Inn) - July 30
Billings (Ponderosa Inn) - August 12
Helena, (DNRC Building) - September 9

The workshop will be led by John Moore of the PDC. PDC staffer John Camper will present the portion dealing with prevention of sexual harassment. Cost of the workshop will be $55.00.

Investigative Report Writing

On July 9, Clarice Cox, a management consultant, who "wrote the book" on Investigative Report Writing, will once again be offering that course. According to Mrs. Cox, many "solid" cases have been lost in the courts because of the way investigative reports have been prepared and the language used. This practical, no nonsense course will be presented in the Montana Training Center (DNRC building) from 8:30 a.m. to 4:30 p.m., and the cost is $65.00.

Pre-Retirement Planning

A two-day pre-retirement planning seminar will be offered in the Coach House Inn East, July 15 and 16, under the auspices of the PDC, cosponsored by PDC, Public Employees Retirement System and St. Peter's Community Hospital. Intended for public employees within five years of retirement, the course covers physical, mental, financial and legal preparations for "that big day." Cost of the seminar which begins at 9 a.m. is $48.00 for those covered by PERS and $95.00 for all others. Due to the belief that one spouse's retirement affects both spouses, the PDC encourages spouses to attend, free of charge. Space is limited to 25 paid participants.

Chemical Dependency and Personal Problems on the Job

This seminar is intended for supervisors and managers who have employees that may have a "substance abuse" or personal problem that is affecting the entire work unit. Bob Marsenich of the Missoula consulting firm, Metamorphosis, will be the instructor. The seminar will be conducted, beginning at 8:30 a.m., July 23, in the Montana Training Center (DNRC Building). Cost of the seminar will be $65.00.

Anyone desiring more information about these or other seminars offered through the auspices of the Professional Development Center is urged to contact their personnel representative or call 444-3985 or 444-3749.

PDC TRAINING SCHEDULE
THIRD QUARTER - 1987

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
JULY		1	2	3 INDEPENDENCE DAY
6	7 New Employee Orientation	8 Fire Me and I'll Sue - **Missoula**	9 Investigative Report Writing	10 Preventing Wrongful Discharge Update
13	14 Documenting Disciplinary Action	15 Pre-retirement Seminar	16	17
20	21	22 Fire Me and I'll Sue - **Great Falls**	23 Chemical Dependency and Personal Problems on the Job	24 Preventing Wrongful Discharge Update
27	28 Windmills	29 Fire Me and I'll Sue - **Butte**	30 Fire Me and I'll Sue - **Bozeman**	31
AUGUST 3	4 Media Relations	5 EEO, Recruitment, & Selection	6 Marketing in the Public Sector	7
10	11 Fire Me and I'll Sue - **Billings**	12 Fiscal Management	13 Self Management	14
17	18 Stress: Cope or Change?	19 Approaching Supervision	20 Righting Your Writing	21
24	25	26 PR in the Public Sector	27	28
SEPTEMBER	1	2 Managing Conflict	3 Writing Position Descriptions	4
7 LABOR DAY	8	9 Fire Me and I'll Sue - **Helena**	10 Report Writing	11
14	15 Managing Time	16 Technical Writing	17 Dealing with the Angry Public-Supvr.	18
21 Introduction to SBAS Part 1	22	23 Introduction to SBAS -Part 2 **EEO Conference**-2 days	24 You, Inc:(Pt.1) Charting Your Career Dealing with the Angry Public-1st time	25 Introduction to SBAS Part 3

For further information call us at 444-3985 or 444-3774

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WRONGFUL DISCHARGE ACT EFFECTIVE JULY 1

House Bill 241, the "Wrongful Discharge from Employment Act," became effective on July 1, 1987. This act significantly affects the employment relationship for all employers in Montana.

1. The act identifies what constitutes a wrongful discharge:

   "A discharge is wrongful only if:
   (1) it is in retaliation for the employee's refusal to violate public policy or for reporting a violation of public policy; or
   (2) the discharge was not for good cause and the employee had completed the employer's probationary period of employment; or
   (3) the employer violated the express provisions of its own written personnel policy."

2. The act defines "good cause" as:

   "reasonable, job-related grounds for dismissal based on failure to satisfactorily perform job duties, disruption of agency operation, or other legitimate business reason."

3. The act limits the damages an employee can recover if the employer is found to have committed a wrongful discharge:

   "the employee may be awarded lost wages and fringe benefits for a period not to exceed 4 years from the date of discharge, together with interest thereon. Interim earnings, including amounts the employee could have earned with reasonable diligence, must be deducted from the amount awarded for lost wages."

   "The employee may recover punitive damages otherwise allowed by law if it is established by clear and convincing evidence that the employer engaged in actual fraud or actual malice in the discharge of the employee...."

4. An action under the act must be brought within one year after the date of discharge. The employee must use available internal grievance procedures before going to court. The employee may proceed to court if the internal process is not completed within 90 days. The one year limitation on bringing an action is tolled until the internal procedure is exhausted, but not for more than 120 days.

5. The employer has to notify the employee of the existence of an internal procedure within 7 days of the date of discharge or the employee can proceed to district court.

6. The act does not apply to discharges where another procedure or remedy is provided for contesting the dispute, such as discharges based on discrimination. The act also does not apply to employees under a collective bargaining agreement or under a contract for a specific term.

7. The act provides that disputes may be contested through final and binding arbitration:

   "A party who makes a valid offer to arbitrate that is not accepted by the other party and who prevails in an action under (this act) is entitled as an element of costs to reasonable attorney fees incurred subsequent to the date of the offer."

   "If a valid offer to arbitrate is made and accepted, arbitration is the exclusive remedy for the wrongful discharge dispute and there is no right to bring or continue a lawsuit under (this act)."

Current state administrative rules covering discipline handling and grievances will remain in effect. The State Personnel Division will be working with agency personnel officers to review these rules to determine if revisions are necessary.

Agency heads and personnel officers have received this information and a copy of the full bill.

Questions about compliance with the Wrongful Discharge from Employment Act can be directed to the State Personnel Division, 444-3871.

MONTANA SEXUAL HARASSMENT POLICY DEVELOPMENT CITED

The state's efforts in sexual harassment prevention have been cited as a model program in a national journal. The May/June, 1987, issue of "Public Administration Review" includes an article, "State Governments' Sexual Harassment Policy Initiatives," which describes Montana's program.

The article, by Cynthia S. Ross and Robert E. England of Oklahoma State University, was based on a survey of all 50 states, with the purpose of providing a "brief, albeit, comprehensive up-to-date analysis of state governments' sexual harassment policy initiatives." In reviewing the accomplishments of states which had undertaken comprehensive sexual harassment prevention programs, the article stated:

> "A number of states orchestrated impressive programs to combat sexual harassment in the work place. An overview of one such state's approach is instructive as an example."

Montana was the state chosen for this example.

When discussing Sexual Harassment Policy Development in Montana, the authors noted that the following had occurred:

1. An executive order had been issued prohibiting sexual harassment, and mandating a statewide sexual harassment policy and employee training.

2. A state policy required all agencies to issue policies prohibiting sexual harassment and to publicize complaint procedures.

3. All state agencies had issued sexual harassment policies and publicized complaint procedures.

4. A two hour workshop entitled, "Sexual Harassment Prevention" had been developed; and, at the time of the survey, most supervisors and approximately one half of state employees had attended the workshop.

5. Most agencies had reported a marked increase in employee awareness.

The authors concluded that, "What is at stake for state government officials who choose to ignore sexual harassment as an employment issue is the loss of productivity, time-consuming complaints, and potentially costly lawsuits. At stake, also, is the dignity of the individual employee as well as the state."

For further information contact Linda Davis or Ron Wilson at 444-3871.

GOVERNOR SCHWINDEN AWARDS TRAVELING TROPHIES/PLAQUES TO STATE AGENCY GOVERNOR'S CUP WINNERS

Governor Schwinden congratulated this year's state agency team winners of the Governor's Cup at a June 24th award ceremony.

The first place winner was the Fish, Wildlife, and Parks team. Team runners were Cheryl Nelson, Sue Daly, David Clark-Snustad, Dave Conklin, Mary Ann Aafedt, Rich Misplon, and Dick Mayer. The team received a score of 63 meaning that, on average, team members scored better than 63% of Governor's Cup runners in the team members' events and age groups.

The second place winner was the Department of Commerce which was erroneously declared the first place finisher at the award ceremony due to a scoring error. Team runners were Marsha Smith, George Schlosser, Jim Kembel, Daryl Redmon, Fred Flanders, and Keith Colbo.

As the top two scoring teams the Department of Fish, Wildlife, and Parks and Department of Commerce teams will have custody of the first and second place traveling trophy/plaques until next year's Governor's Cup race.

An individual plaque was awarded to Pat Lopach with the Department of Revenue who had the best individual score of state employees who entered the state competition. She ran faster than 96% of Governor's Cup runners in her event (the 10K) and age group. Special recognition was also given to Debbie Harriott with the Department of Administration who had the next best individual score, beating 95% of the runners in the same event (women's 10K) and age group; and to Sylvia Stevens who competed in a wheelchair in the 5K for her team.

For more information call Mike Arnold or Joyce Brown, 444-3871, State Personnel Division, Department of Administration.

GOVERNOR'S CUP STATISTICS PROVIDE GOOD AND BAD NEWS FOR RUNNERS TURNING AGE 40

Governor's Cup statistics reveal that the average times and distribution curves for 40-49 year olds differ little, if at all, from those for 30-39 year olds. This holds true for nearly all Governor's Cup events and both sexes.

There is a significant jump in average finish times between the 19-29 year old runners and the 30-39 year old runners. There is, again, a significant jump in average finish times between the 40-49 year old runners and 50-59 year old runners. But there is almost no increase in average finish times between 30-39 year olds and 40-49 year olds.

So, if you are turning 40 the good news is you can expect to continue to perform about as well as you did in your 30's. The bad news is, so will everyone else.

If you'd like to see distribution curves on various Governor's Cup events, call Joyce Brown, 444-3871, at the State Personnel Division.

POLICY PURSUIT

QUESTION

The State's sexual harassment policy's definition of sexual harassment includes "any unsolicited comments, gestures or physical contact of a sexual nature when . . . such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment." Has the "hostile environment" concept of sexual harassment been upheld in court? What constitutes a "hostile environment?"

STATE EMPLOYEE GROUP BENEFITS ADVISORY COUNCIL MEETS

The State Employee Group Benefits Advisory Council met on June 23rd to evaluate possible medical and dental plan changes for the upcoming plan year (87-88 beginning September 1) and long range changes for the following year.

For the upcoming 87-88 plan year, the Council recommended that the state plan be modified to include optometrists as eligible providers for eye treatment which is (a) covered under the state plan and (b) allowed under the optometrist's license. This is primarily administration of topical drugs which optometrists received authority to administer by the 1987 Legislature. It does not include vision exams and corrective lenses which are not benefits under the state plan.

The Council also recommended that the frequency and age limits on mammograms be modified to correspond to recommendations of health screening personnel from St. Vincent's Hospital. St. Vincent's personnel endorse recommendations of the American Cancer Society rather than recommendations of the National Cancer Institute which are currently reflected in the state Plan. The Council recommendation, assuming adoption, will allow one base-line mammogram for women between ages 35 and 40; one every two years between 40 and 50; and one a year after age 50.

The Council also discussed progress toward implementing a "flexible benefit" plan. This plan modification would give employees the option of paying for dependent coverage with pre-tax dollars. For employees with family coverage this could result in savings equivalent to a 1% pay increase. Federal tax laws govern "flexible benefit" plans, and a study is underway to determine how to comply with these laws and to consider any other ramifications.

Longer term modifications the Council will be evaluating for the 88-89 year are cost containment measures. These include: incentives for use of generic drugs rather than brand names and possible direct contract with Montana pharmacies to obtain cost reductions in prescription drugs; pre-certification programs; case management programs; and HMO or other special arrangements with providers.

Minor changes in deferred compensation benefits resulting from federal law changes and contract modifications were reviewed by Debi Flentie. John Allen of Montana Benefits reviewed program statistics for the last year which showed that employee participation has increased despite staff reductions. Interest rates still remain competitive with a 9.35% rate of return guaranteed by Nationwide Insurance for the third quarter of 1987, for the fixed annuity investment option.

Dave Evenson with University System Benefits has been appointed to replace Jack Noble from the same office, on the Advisory Council for Deferred Compensation issues.

For more information on health, dental and life insurance benefits call Joyce Brown or Mike Arnold at 444-3871. For more information on deferred compensation benefits, call Debi Flentie, 444-3887.

HEALTH NOTES

A new food product is being developed--sparkling milk. Most nutritional surveys indicate that each year teenagers drink less milk and more soft drinks. Hence this new carbonated product in a variety of flavors which it is hoped will improve teen's nutritional status (and the manufacturer's bank account). Caution advises a wait and see approach with careful attention to label reading and the price before turning young people on to this new product.

"Know your cholesterol -- and do something about it." That's the battle cry of the National Cholesterol Educators Program. As a reminder, a good cholesterol with very little cardiovascular risk is 180, but under 200 isn't bad. National averages (which are too high) are 220 for men and 230 for women. Regardless of age, if cholesterol is 240 or higher, doctors recommend lowering it.

Research into olive oil continues. Studies in this country, Greece and elsewhere suggest that the monosaturated olive oil provides more protection against heart disease than the polyunsaturated oils. (Peanut oil, also a monosaturate, does not confer this same possible protection.) Nutritionists remind the public that even if this finding becomes substantiated, diets low in all kinds of fat remain the best bet. Substituting a little olive oil for some butter and margarine seems prudent for now.

If you're trying to lose weight (i.e., body fat), not more than two pounds a week is recommended. More than that and the loss is water and lean muscle tissue. A recent study showed that one-third of the people who underwent very rapid weight loss developed gallstones. It's already known that rapid weight loss schemes also cause the body to lower its metabolic rate and be more efficient. That's why dieters often gain more body fat when they stop dieting. Modest reductions in calories (less fat, more carbohydrates) coupled with increased exercise is the not-so-magic formula for losing extra body fat.

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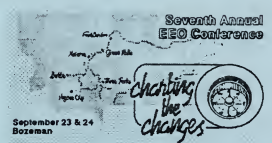

EEO CONFERENCE SCHEDULED FOR BOZEMAN

The Seventh Annual EEO Conference sponsored by the State Personnel Division will be held at the GranTree Inn in Bozeman, September 23 and 24. Topics to be discussed by experts in their fields are:

- Human Rights Commission Update.
- U.S. Supreme Court Decisions Update.
- Legislative Update (Wrongful Discharge/Drug-Polygraph testing.)
- Investigation of discrimination cases with emphasis on sexual harassment and AIDS discrimination cases.
- AIDS in the workplace.
- Career development for women - meeting affirmative action goals.
- Preparing for a staff reduction.

In the afternoon of the final day of the EEO Conference there will be an open forum on disabled employment issues jointly sponsored by the Governor's Committee on Employment of the Disabled (GCED) and the National AFL-CIO's Disability Program of the Human Resources Development Institute (HRDI).

A special flyer will be enclosed with next month's Montana Perspectives. For more information, call Linda Davis at 444-3796.

DEFERRED COMPENSATION - A KEY TO YOUR RETIREMENT INCOME

Does retirement seem like a long way off? Something you don't want to think about now? Remember, retirement is one of life's realities that can be devastating if not planned. Thinking about retirement now can make the transition less painful, even fun.

Let's look at a hypothetical example of a person retiring now with a grade 12, step 13, salary who has been a steady wage-earner for 30 years.

Current monthly salary:	$1,945	(before taxes)
Monthly retirement income:	$ 900	P.E.R.S.
	400	Social Security
	$1,300	(before taxes)

The State has a supplemental retirement program that can assist in increasing your retirement income. But - you must start your plan soon. If you had deferred $50 per month with the State Deferred Compensation Program in 1976 your investment would be approximately $13,387 today. Your investment could be added to the retirement income shown above:

Retirement income:	$1,300
Deferred Compensation:	257*
Total retirement income:	$1,557

* (for a 5 year annuity) (other withdrawal options available.)

While setting aside $50 a month, your take-home pay was reduced by only $35 a month (using 30% tax bracket). You are a three-time winner:

- You set money aside for retirement.
- You reduced your taxable income while saving.
- You have a tidy sum invested even if you don't stay with state employment until retirement.

For more information about the State Deferred Compensation Program, contact Debi Flentie at 444-3871.

PUBLIC HEARING CONDUCTED, ADVISORY COUNCIL MEETS ON SICK LEAVE FUND RULE AMENDMENTS

Amendments to the Sick Leave Fund rules were the subject of a public hearing July 8. The amendments remove the prohibition against use of granted leave to care for family members, make it clear that agreeing to receive granted leave constitutes an employee's agreement to exhaust annual leave, and clarify administrative questions.

The Sick Leave Fund Advisory Council reviewed the public hearing comments and recommended to Department of Administration Director Ellen Feaver that the amendments be adopted as proposed. As the result of a comment received, ARM 2.21.822 will also be amended to list eligibility requirements to receive direct grants.

Final action on the rules is expected by mid-August.

For further information about the Sick Leave Fund or about the amendments to the rules, call Gale Kuglin, 444-3984.

1987 SAVINGS BOND DRIVE

Thanks to everyone who participated, the 1987 Savings Bond Drive was a great success! To date, a total of 106 state employees have signed up as "new savers" and 37 individuals have increased their savings bond payroll deductions. DNRC was the agency winning the award for the largest increase in the amount of new savers. Governor Schwinden presented the award to DNRC's Coordinator, Shari Hunter, and her canvassers on June 22. Canvassers for DNRC included: Mary Bertagnolli, Cindy Forgey, Julie Frickel, Sue Huntington, Marian Larson, Lindy Proue, Debbie Waples, and Laurie Zeller.

TRAINING HIGHLIGHTS

Media Relations. If you have ever been called by the press and caught off-guard, this class is for you. This one-day seminar teaches the basics of working with the press. During the class you will actually be interviewed on a subject of your choosing in front of a TV camera. John Camper of the PDC leads the class that will be taught in the Montana Training Center, (DNRC Building), August 4, from 8:30 - 4:30. Cost is $65.00.

Fiscal Management. Bill Gosnell, executive staff assistant, Department of Highways, will present this popular, timely, and informative session on August 12, in the Montana Training Center, from 8:30 - 4:30. Cost is $55.00. It is intended for anyone who must prepare budgets for their agency.

Approaching Supervision. Rights and responsibilities of managers and supervisors, along with the changes that must be expected with promotion to a leadership position, are the topics of this day-long seminar to be offered in the Yogo Inn in Lewistown, August 19. James Burgess, director of the PDC, is the instructor, and the cost is $55.00.

Righting Your Writing. This half-day seminar, taught by Ray Fenton, management consultant from Helena, is aimed at those who prepare or write reports for agencies. It is a down-to-earth session filled with practical and tested methods for getting your point across in the shortest, most comprehensible manner. Scheduled for the Montana Training Center, August 20, the course is $45.00.

Managing Conflict. From time to time we all face conflicts in our relationships with others. This seminar discusses these conflicts and gives participants practical steps to take to identify the real issues, and begin the road to resolution. John Moore of the PDC conducts this session which will be held September 2, from 8:30 - 4:30, in the Montana Training Center. Cost is $55.00.

For further information about these and other seminars offered through the auspices of the Professional Development Center contact your personnel representative, or call 444-3985.

POLICY PURSUIT

ANSWER:

The state policy on sexual harassment, including the definition, has been adopted directly from the Equal Employment Opportunity Commission's (EEOC) guidelines. In Meritor Savings Bank v. Vinson, the U.S. Supreme Court stated that, "In concluding that so-called 'hostile environment' harassment violates Title VII, the EEOC drew upon a substantial body of judicial decisions and EEOC precedent holding that Title VII affords employees the right to work in an environment free from discriminatory intimidation, ridicule, and insult . . . Since the guidelines were issued, courts have uniformly held, and we agree, that a plaintiff may establish a violation of Title VII by proving that discrimination based on sex has created a hostile or abusive work environment."

Based on this decision, and on cases which the Supreme Court quoted in its decision on Meritor v. Vinson, experts have suggested that "dirty jokes, innuendos, obscenities, pictures, or any action or conduct that makes workers feel uncomfortable is a hostile working environment." Courts are also starting to find that any harassing or aggressive behavior directed at employees of one sex may be sexual harassment, whether or not the conduct has a sexual connotation. For legal protection, and for the purposes of creating a working environment which preserves the dignity of all employees, it is suggested that managers and administrators be aware of what can constitute a "hostile environment" under sexual harassment, and ensure that employees develop the same awareness.

New sexual harassment training has been developed for supervisors and managers. For more information call the Professional Development Center at 444-3985 or Linda Davis at 444-3796.

PROFESSIONAL DEVELOPMENT CENTER

HAVE CLASS - WILL TRAVEL

The Professional Development Center can save your agency money by coming to your worksite. By having the PDC conduct courses at your location, you can:

- reduce the cost of per diem and travel.
- have more of your employees trained for less money than attending regularly scheduled classes.
- have your employees away from work for shorter periods of time.
- have the training when it best suits your schedule.
- receive training especially tailored for your specific needs.

For further information call the Professional Development Center at 444-3855.

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For further information call us at 444-3985 or 444-3774

Montana Personnel Perspectives is published monthly by the Department of Administration, State Personnel Division. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced by state agencies without permission. Comments should be directed to the State Personnel Division, Mitchell Building, Helena, Montana (444-3871).

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MONTANA PERSONNEL PERSPECTIVES

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ATTORNEY GENERAL RULES HERITAGE DAY TO BE OBSERVED ON A SINGLE DAY

The Heritage Day Holiday must be scheduled on a single calendar day per year, Attorney General Mike Greely ruled on August 7, 1987. The new holiday will be observed for the first time in 1988. Gov. Ted Schwinden has designated the day after Thanksgiving, November 25, 1988, as the first scheduled Heritage Day for state employees.

The 1987 Legislature, which created the new holiday, provided that the governing body of each political subdivision and the governor would determine the day the holiday would be scheduled. Missoula city employees had expressed an interest in having individual or departmental holidays for Heritage Day. The City of Missoula requested the opinion from the attorney general.

He found that the new section of the law "clearly provides for Heritage Day to be observed on a single day determined by the governing body of each political subdivision. Thus, the City of Missoula would only have authority to set a date for Heritage Day, not to allow departmental or individual holidays."

Reviewing the legislative history of the new holiday, Greely cites testimony of one of the bill's sponsors, Rep. Richard Nelson, who said Heritage Day "would be a floating holiday which local governments could use at their discretion for a specific purpose such as for a fair or a special celebration that is unique to their own area."

Greely wrote in his opinion, "The concept of a legal holiday is also better served by a single Heritage Day in each political subdivision. A 'holiday' is a day set aside for worship, for reverence to the memory of a great leader and benefactor, to rejoice over a national or historical event, or to rekindle the flame of an ideal; a 'legal holiday' is a day designated and set apart by legislative enactment for one or more such purposes... A Heritage Day which amounted to nothing more than a personal day off with pay would have no meaning as a legal holiday."

For information about holidays, call Gale Kuglin, 444-3984, or Linda Kaiser, 444-3794.

SICK LEAVE FUND RULE AMENDMENTS ADOPTED EFFECTIVE JULY 31

Grants from the Sick Leave Fund and direct grants of sick leave can now be used to care for ill family members under revised sick leave fund rules, which became effective July 31, 1987. Prior to July 31, grants of sick leave could only be used for illness or injuries which affected the employee directly. An employee who wishes to use granted sick leave for family care must meet all eligibility requirements. Granted sick leave may be used until other attendance can reasonably be obtained to care for the family member.

The revised sick leave fund policy has been distributed to all holders of the Montana Operations Manual, Volume III.

Vouchers used to administer the fund and direct grants have been revised and will be distributed to agencies in August. Agencies should begin to use the new vouchers immediately.

For information on joining the sick leave fund or for information on giving or receiving direct grants, call your agency personnel officer or a payroll technician.

For information about the sick leave fund or the amendments to the rules, call Gale Kuglin, 444-3984.

WOMEN IN EMPLOYMENT ADVISORY COUNCIL MET

Women in Employment Advisory Council has been continued for another two-year period through a Governor's Executive Order. The purpose of the council is to gather information, furnish advice and make recommendations to the Governor on issues of concern to women.

The following individuals have been reappointed to the Council.

Antoinette "Toni" Rosell
Chairperson, Billings
Elyse Matejovsky, Wolf Point
Susan Wallwork, Missoula
Diana McLean, Lame Deer
Karen Fenton, Bozeman
Cindy Stergar, Butte
Theresa Nugent, Helena
Jane Lopp, Kalispell
Janet Gallagher, Butte
Ann Smoyer, Helena
Nadiean Jensen, Helena
Bunny Albers, Great Falls

The Council met on July 27, 1987, to set goals and objectives for the 1987-88 fiscal year. The following are two key projects the council will be working on this year.

1. The Council will co-sponsor a reception for participants at the Molders and Shapers Conference. The Molders and Shapers Conference will be held in Helena at the Colonial Inn on November 13 through the 15th. The conference will highlight contributions women have made as community builders in Montana.

2. The Women in Employment Advisory Council will work on the implementation of transitional child care legislation that passed the 1987 session (HB 888). This law authorizes the Department of Labor and Industry to establish a pilot transitional child care program which provides child care assistance for former recipients of aid to families with dependent children. (AFDC) Eligible recipients will receive $200 per child per month for six months of child care. The legislation also sets up incentives, bonus funds, to the agency that placed the eligible recipient in employment lasting six consecutive months or longer.

For further information on Council activities, please contact Barb Charlton at 444-3983.

SECOND YEAR OF STATE EMPLOYEE PRO-HEALTH SCREENINGS TO BEGIN IN SEPTEMBER

Approximately 2,500 state employees, spouses and retirees participated in the State Employee Benefits Plan Pro-Health Screening Project last benefit year. A similar number is expected to participate this coming year. Last year the Pro-Health screening was offered in Helena and the eastern part of the state. Beginning in September it will be offered in the western part of the state and again in Helena for those who could not participate last year or who are eligible for a second screening. Below is the schedule for the following areas. Locations and sign up instructions will be distributed by each agency to agency employees in these areas in advance of the screening.

Missoula Sept. 15,16,17
Hamilton Sept. 18
Thompson Falls
and Libby Sept. 22
Kalispell Sept. 23 & 24
Columbia Falls
and Polson Sept. 25
Great Falls (including)
Ft. Benton Oct. 7, 8, 9
Shelby & Cut Bank Oct. 6
Deer Lodge Oct. 19,20,21
Butte Nov. 16
Anaconda Nov. 17,18,19
Dillon Nov. 20
Boulder Nov. 18
Helena Jan. 5,6,7
Helena Feb. 2,3,4
Helena Mar. 1,2,3

For further information, call Mike Arnold at 444-3946.

HEALTH NOTES

The new frozen fruit, and fruit and juice bars are a good alternative when your sweet tooth aches. They usually have hefty amounts of fruit and little or no fat. However, while better than ice cream, they have more sugar than fresh fruit. When buying these treats, read the labels. Check sugar and fruit content and calories. Compare the treat to vanilla ice cream which ranges between 120 to 270 calories per half cup.

A study of male Harvard graduates suggests exercise actually lets you live longer. Using the reduced risk of heart attacks through exercising as a base, researchers translated the results of exercise into extra life. They estimate that a middle-aged man will live an extra two hours for each hour of exercise. Whatever the effect on life-span, the cardiovascular, stress-reducing and waist-slimming benefits of exercise definitely exist.

Americans love to hate certain foods. The least favorite foods according to a recent Harper poll are liver, yogurt, brussels sprouts, lamb and prunes.

The percent of smokers who smoke a lot is rising. The reason is that those who are less committed to smoking and those who could quit easily, already have. Smokers are continuing to affect non-smokers. Passive smoke causes an increased risk for pneumonia, bronchitis and other respiratory diseases in children whose parents smoke. Non-smoking spouses of smokers have a 30 percent greater chance of developing lung cancer than other non-smokers.

Huntington's disease (Woody Guthrie's illness) with its progressive mental and physical impairment strikes people at ages 35-45. At present, the prognosis is not optimistic. The disease runs in families and most people used to have to wait until age 45 to know their fate and the implication for child bearing. Now there is a blood test to detect this disease. Blood samples from relatives are required for comparison. For information about participating in a free research program, call the Huntington's Disease hotline at 1-800-345-4372.

A while back, milk was the prescription for an ulcer sufferer. More recently that has fallen by the way when it was discovered that milk causes stomach acid to flow. A normal diet seems to promote best ulcer healing along with providing pain relief.

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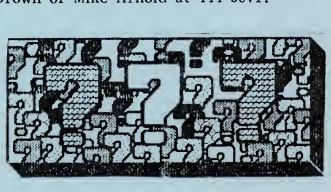
NO RATE INCREASE SEPTEMBER 1

Good News for state employees and their dependents who are covered under the State health and dental plans. There will be no rate increase for the new benefit year starting September 1, 1987.

Rates were set taking the employee pay freeze into consideration. This is part of a three-year plan to maintain the rate structure set September 1, 1986, while keeping the plan financially sound.

For more information, call Joyce Brown or Mike Arnold at 444-3871.



EEO PURSUIT

Question

Are state agencies required to keep accurate records on the age, sex, and race of applicants and employees?

EEO PURSUIT

Answer:

Yes. Both federal and state laws and regulations require certain employers, including agencies of state government, to maintain records.

When equal employment opportunity laws were first enacted, people generally believed that discrimination took place primarily through conscious, overt actions against individuals. It has become apparent, however, that employment discrimination often results from seemingly neutral employment practices.

The U. S. Supreme Court in Griggs v. Duke Power Company (402 U.S.424, 1971) made clear that an employer's lack of discriminatory intent does not legalize personnel procedures which result in discrimination.

The courts rely heavily on statistical evidence as a major indicator of discrimination. Without an adequate base of statistical information, an employer cannot deal effectively with EEO problems. Such data are basic in order to:

- meet legal requirements;
- identify specific personnel practices which have unfavorable impact on minorities and women, or which create artificial barriers to the employment or promotion of members of any group; and
- design appropriate affirmative action programs.

Currently, many discrimination cases involve improper selection procedures as cited in Crabtree vs. Montana State Library and/or insufficient data retention. Failure of an employer to maintain required data can result in long, drawn out lawsuits and in loss of federal funds.

For an EEO program to be effective, it is essential to establish appropriate, confidential methods for collecting and using such data. The state's Applicant Flow System and PPP System Employee Records enable agencies to plan affirmative action programs and correct potential problem areas while maintaining employee confidentiality.

For further information, call Linda Davis at 444-3796 or Ron Wilson at 444-3886.

DEFERRED COMPENSATION STILL A WISE INVESTMENT

The 1986 Tax Reform Act had no negative effects on the State of Montana Deferred Compensation Plan. Deferred Compensation Plan participants may still reduce their taxable income by 25% of their annual salary each year (not to exceed $7,500). The principal and earnings on contributions are still tax deferred.

Deferred Compensation is funded through payroll deductions before the tax withholding on your biweekly pay is calculated. The result is a tax savings each payday. At year end, the reduction in gross income recorded on your W-2 results in a lower tax due.

As a comparison, IRA's are funded with after tax dollars. You do not realize any tax savings until the deduction is taken when you file your income tax return. Plus, the tax law requires a tax penalty (which is in addition to normal tax liability) of 10% when a withdrawal is made from an IRA if you have not attained retirement age. No additional tax penalty is assessed on withdrawal from the State Deferred Compensation Plan.

State employees may still participate in the State Deferred Compensation Plan in addition to the allowed IRA contribution. Participation in an IRA does not limit or prohibit participation in the State Deferred Compensation Plan.

Since the State's program began in 1976, over 4,500 employees have participated in the program. Their contributions have accumulated to over $40 million dollars. Those employees who have retired after participating in the program are enjoying a significant increase in their retirement income.

For more information on this important fringe benefit, contact Debie Flentie, 444-3871.

EMPLOYING DISABLED AMERICANS

Two-thirds of disabled persons between the ages of 16 and 64 are not working. Of these 12.4 million people, 8.2 million want to work. As a result of these statistics, the International Center for the Disabled in cooperation with the National Council on the Handicapped, and the President's Committee on Employment of the Handicapped sponsored a nationwide survey, conducted by Louis Harris and Associates, which studied employers' attitudes, policies, and job performance of disabled individuals.

Following is a summary of the survey findings.

Employers' Experiences with Disabled Employees:

1. A large majority of top managers rate the overall job performance of disabled employees as good or excellent.

2. The majority of managers surveyed say disabled employees are more willing to work harder than non-disabled employees and are as reliable and punctual or more so.

3. Eight out of ten department heads and line managers felt that disabled employees are no harder to supervise than non-disabled employees.

Cost of Employing and Accommodating Disabled People:

According to managers the average cost of employing a disabled person is about the same as the cost of employing a non-disabled person.

The authors stressed that strong performance evaluations and an absence of cost barriers have not translated into wide-spread hiring of disabled employees. Only 43% of EEO Officers say their companies have hired a disabled employee in the past year.

Barriers to Increased Hiring of Disabled People:

1. Sixty-six percent of managers say a lack of qualified applicants is an important reason why they have not hired disabled people.

2. Another key barrier is that only 37% of the companies surveyed have established a policy or program for hiring disabled employees.

3. Job discrimination remains one of the most persistent barriers to increased employment of disabled people. Three-fourths of the managers surveyed believe disabled people often encounter discrimination from employers.

4. Most managers think their company is already doing enough to employ disabled people and should not make greater efforts to do so.

The authors concluded that efforts to increase the employment of disabled will succeed if:

1. There is an increase in the number of job applicants who are perceived by employers to be qualified.

2. Employers give the employment of disabled people a higher priority.

For information on ordering "The ICD Survey 2: Employing Disabled Americans," write to Education and Training Department, International Center for the Disabled, 340 East 24th Street, New York, New York, 10010.

For more information on employing people with disabilities, contact Linda Davis or Ron Wilson at 444-3871.

TRAINING HIGHLIGHTS

Writing Position Descriptions.

The position description is the basic document for many personnel actions. This half-day course covers the importance of preparing good position descriptions and how to go about the task. John McEwen, Chief of the Classification Bureau, will lead this class, taking place in the Montana Training Center (DNRC Building September 3 from 10 a.m. - 3 p.m. Cost is $40.

Fire Me and I'll Sue.

Wrongful discharge and sexual harassment are words that keep cropping up in the news. This seminar presents clear, up-to-date information on these two topics: what they mean, and how you can prevent their occurrence. John Moore of the Professional Development Center will present this course in Helena (Montana Training Center) on September 9 and in Kalispell (Cavanaugh's Motor Inn) on October 22. Each session runs 8:30 a.m. - 4:30 p.m.. Cost is $60.00.

Contemporary Writing Skills:

A concise course in putting clarity into your writing, so the reader gets the most information out of it. This workshop focuses on composing and revising full-length reports with an eye toward modern usage and formats. Ray Fenton, a well known consultant in Montana, will lead this workshop in Helena (Montana Training Center) on September 16 from 8:30 a.m. - 4:30 p.m.. Cost is $60.

Dealing with the Angry Public.

If you deal with the public in your job, you sometimes face citizens who are angry or upset. This course can help ease the difficult task of confrontation and communication. Mary Ellen Campbell, Associate Professor of Business with the University of Montana will conduct two specially designed workshops: the first workshop (September 17) is for supervisors who must sometimes deal with angry citizens and who oversee the activities of staff who catch the "first wave" of public contact. The second workshop (September 24) is for the "front-line" staff themselves - those employees for whom public contact is a regular part of the job. Both workshops will take place from 8:30 a.m. - 4:30 p.m. in the Montana Training Center. Cost is $60 for each workshop, but an "office team" of one person in each workshop can register for a total cost of $100.

Introduction to SBAS.

A basic course on SBAS in three half-day sessions. Get acquainted with SBAS terminology and documents in a format specifically designed to answer your questions. Terry Atwood of the Accounting Division will conduct this class from 8:30 - noon on September 21, 23, and 25 at a total cost of $55.

You, Inc: Charting Your Career.

No longer do people feel "locked in" to their careers. But the desire or necessity to change must be paired with information on how to make the change in a productive, organized manner. John Camper of the Professional Development Center will discuss the critical aspects of planning a career change in this one-day seminar, September 24, from 8:30 a.m. - 4:30 p.m. in the Montana Training Center. Cost is $40.

PROFESSIONAL DEVELOPMENT CENTER

september 1987

monday	tuesday	wednesday	thursday	friday
	1	2 Managing Conflict	3 Writing Position Descriptions	4
7 labor day	8	9 Fire Me and I'll Sue (Helena)	10	11
14	15 Managing Your Time	16 Contemporary Writing Skills	17 Dealing with the Angry Public (supervisors)	18
21 Introduction to SBAS Part 1	22	23 Introduction to SBAS Part 2	24 Dealing with the Angry Public (front-line) Charting Your Career	25 Introduction to SBAS Part 3
28	29	30	**Seventh Annual EEO Conference is September 23 & 24 in Bozeman**	

october 1987

monday	tuesday	wednesday	thursday	friday
			1	2
5	6 Working with SBAS Documents	7	8 New Employee Orientation	9
12 columbus day	13	14	15 Transforming Work into a Growth Experience	16
19	20	21 Strategies for Women Who Work	22 EEO, Recruitment & Selection Fire Me and I'll Sue (Kalispell)	23
26	27 Advanced Editing Skills First Impressions	28	29	30
	Effective Presentations			

For further information, call us at 444-3985 or 444-3774

charting the changes

the seventh annual eeo conference

This past year has seen a number of changes that directly affect EEO and personnel functions. New statutes, new decisions, and new directions — all of them mean we must stay informed.

This day and a-half conference, sponsored by the State Personnel Division, will keep you informed. This year's agenda concentrates on the most recent changes in EEO — and some on the horizon.

The conference will benefit EEO/AA specialists, personnel officers, attorneys, and general managers in both the public and private sectors.

a g e n d a

Wednesday — September 23

9:00 **Opening Remarks**

9:30 **Keynote Address: Investigating AIDS and Sex Discrimination Complaints**
Vada Kyle-Holmes, Office for Civil Rights
Department of Health & Human Services, Denver

10:30 **Skit Break: Misunderstanding AIDS**

11:00 **What Does the Immigration Reform Act Mean for Employers?**
Linda Kaiser, State Personnel Division

Lunch Break: On Your Own

1:00 **New Montana Legislation: Wrongful Discharge and Drug Testing**
John Moore, State Personnel Division

2:15 **Panel: Affect of AIDS in the Workplace**
Moderator: John Camper, State Personnel Division
Jerry Keck, Human Rights Division
Rick Chiotti, Montana Aids Project
Vada Kyle-Holmes, Officer for Civil Rights, Denver

Thursday — September 24

8:30 **New Directions: Human Rights Commission and US Supreme Court**
Anne MacIntyre, Human Rights Commission
Kathleen Holden, State Personnel Division
Cathy Conover, Montana State University

10:15 **Skit Break: Alien Interview**

10:45 **Outplacement: Proaction for Reductions in Force**
John Camper, State Personnel Division

Other Activities After the EEO Conference ...

12:00 **Luncheon: A National Perspective**
Jay Rochlin, President's Committee on Employment of the Handicapped, Washington, DC

1:00 - 5:00 **Forum on Disabled Employment Issues**
Sponsored by the Human Resource Development Institute and the Governor's Committee on Employment of the Disabled

Special Conference Event: A wine and cheese reception for conference participants will begin at 5:00 on Wednesday. Plan to attend this "informal session."

Conference Location: Grantree Inn (I-90 and North 7th Avenue, Bozeman)
Conference Fee: $58.00 Fee includes materials, refreshment breaks, wine and cheese reception Wednesday evening
Lodging: Grantree offers state and commercial rates; you must make your own reservations. Please confirm reservations by September 8 by calling 1-800-624-5865.
Credit: Qualified for Continuing Legal Education Credits
For more information: Call Ron Wilson (444-3886) or Linda Davis (444-3796)

Human Resource Development Institute

Forum on Disabled Employment Issues

Bozeman • Sept. 24
GranTree Inn

Governor's Committee on Employment of the Disabled

... bringing together advocacy groups, service providers, and employers to identify the strengths of current programs and ways of improving employment opportunities for the disabled. Attend the forum to voice your concerns on what you believe are today's critical issues and to obtain the latest information on new programs and legislation. For more information, call Ron Wilson at 444-3886.

agenda • thursday, september 24

12:00 **Luncheon: A National Perspective**
Jay Rochlin, President's Committee on Employment of the Handicapped, Washington, DC

1:00 **General Session**

The Disabled's Perspective
Kathy Kelker, Parents, Let's Unite for Kids
Keith McCarty, Developmental Disabilities Planning and Advisory Council
Rich Brown, Disabled American Veterans
Kathy Collins, Montana Independent Living Council
Gordon Hage, Governor's Committee on Employment of the Disabled

The Service Providers' Perspective
Gene Christiaanson, Office of Public Instruction
Peg Hartman, Department of Labor and Industry
Gail Gray, Department of Social and Rehabilitation Services
Tony Suazo, Human Resources Development Institute

General Session (continued)

The Employer's Perspective
Blair Ricks, Montana Power Company
David Tolan, Safeway Stores, Inc
James Murry, Montana AFL-CIO

Each concurrent session will be presented twice so you can attend more than one.

3:15 **Concurrent Workshops**

Employer Panel
Disabled Advocacy Panel
Service Provider Panel

4:15 **Concurrent Workshops (repeated)**

Employer Panel
Disabled Advocacy Panel
Service Provider Panel

REGISTRATION FORM

Name _____ **Title** _____

Agency or Company _____

Business Address _____
street or box

( ) - _____ _____ _____ _____
business phone city state zip

I plan to attend ...

☐ **EEO Conference** ($58.00 fee)

☐ **Thursday Luncheon with Jay Rochlin** ($ 6.00 fee)

☐ **HRDI/GCEH Forum on Disabled Employment Issues** ($10.00 fee)

Billing Arrangements — (make checks payable to **State of Montana**)
☐ Check enclosed ☐ I plan to pay on-site ☐ Please bill after the conference

Detach and mail or deadhead this form to... **EEO Conference**
State Personnel Division, 130 Mitchell Bldg.
Helena, MT 59620

Montana Personnel Perspectives is published monthly by the Department of Administration, State Personnel Division. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced by state agencies without permission. Comments should be directed to the State Personnel Division, Mitchell Building, Helena, Montana (444-3871)

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STATE PERSONNEL DIVISION
Department of Administration
Room 130, Mitchell Building
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MONTANA PERSONNEL PERSPECTIVES

Number 5
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September 1987

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IT WAS TIME

by

William R. Palmer
Assistant Administrator
Division of Workers' Compensation
Department of Labor and Industry

Reprinted in its Entirety

PART I OF III -- THE SYSTEM

Simply put, a workers' compensation system should replace lost wages for injured workers and provide medical treatment, rehabilitation, and training all through a self-administering system which minimizes the necessity for litigation.

The system is paid for by employers who pay insurance premiums to either a private insurance carrier or to the State Compensation Insurance Fund. Some large companies can self insure. Premiums are set to cover liabilities for injuries incurred during the "course and scope of employment."

It became apparent as early as 1983 that State Fund premium collections were inadequate to cover outstanding liabilities. Claimants were drawing wage-loss benefits longer, and the number of wage-loss cases represented by legal counsel had increased dramatically. The State Fund increased rates for the years 1981 through 1985 by 57%; yet, indications were that the deficit would continue to grow. Because of high premium levels, employers now found themselves unable to compete with businesses in neighboring states and unable to pay the cost of insurance. Many were forced to either take the risk of not insuring or close their doors. Very few private carriers would write new coverage. Some got out of the business altogether; still others filed for bankruptcy or liquidation.

In 1983, the State Fund had surplus reserves of $5.5 million; by 1984, the surplus reserves declined to $352,000. By 1985, the Fund reported an unfunded liability of $28.9 million, and at June 30, 1986, it had grown to an $81 million deficit. Premium collections were still not keeping up with the demands for benefit payments. In 1976, only 15.5% of the claimants drawing wage-loss benefits were paid for more than 12 weeks. By 1982, the number had increased modestly to 19%. By 1985, however, more than 36% of the injured workers were drawing wage compensation benefits for more than 12 weeks.

As early as 1975, it was estimated that only 5% of wage loss cases were represented by attorneys. A recent study indicates that almost 60% are now represented.

Why? What was happening? Were there more accidents? Studies showed that the number of accidents per 100 full-time employees actually declined from 10.4 in 1975 to 8.5 in 1984, and the percentage of the civilian labor force having accidents declined from 8.8 in 1976 to 7.7 in 1985. The number of accidents reported in Montana for the same period remained relatively constant at about 30,000 per year. An increase in the number of accidents was not the reason.

Then, what was driving the cost to a level which now became unaffordable? Was it the provisions of an imprecise and often vague law, interpretations by the court, administrative deficiencies, abuse of the system, the economy? Money was paid out at an alarming rate. In 1976 settlement payments totaled $4.4 million for1,022 cases, averaging $4,332 per case. By 1985, the number of settlements had increased to 1,841--representing a $33.6 million payout, averaging $18,276 per case. The state's average weekly wage during that 10-year period grew approximately 80%, but the average settlement grew 322%. The total settlement dollar paid increased 660%. In 1979, the Fund paid $4.8 million in wage compensation benefits to temporarily disabled workers. By 1986, the Fund paid $21.7 million, an increase of 352%. During the same period, the state's average weekly wage increased only 56% and the number of compensable claims grew by only 19.7%.

There was no doubt about it, the system was in trouble; things had to change. It was time.

Next Month: Part II -- The Process

MANAGEMENT TRAINING SCHEDULED FOR OCTOBER

The seven-part Essentials of Management series, offered by the Professional Development Center will begin October 6 and 7, in the Montana Training Center, DNRC building. This series will meet as shown below:

Leading	Tuesday, October 6
Organizing	Wednesday, October 7
Delegating	Wednesday, October 14
Operating	Tuesday, October 20
Evaluating	Wednesday, October 28
Controlling	Tuesday, November 3
Synthesis	Wednesday, November 4

The six-part Principles of Management will get underway October 21 and run through December 2, as shown below:

Controls	Wednesday, October 21
Budgets	Thursday, October 29
Programs	Thursday, November 3
Information	Tuesday, November 17
Special Issues	Tuesday, November 24
Synthesis	Wednesday, December 2

Anyone desiring further information regarding the Essentials of Management or Principles of Management should call Jim Burgess at 444-3855. A special registration form is required for these two series. Copies of the registration form may be ordered by calling the PDC at 444-3985.

MASTERING MEETINGS FOR RESULTS TO BE HELD IN HELENA

Mastering Meetings for Results is a two-day introduction to the Interaction Method of managing meetings. The seminar will be led by Jerry Williams of Jerry L. Williams and Associates, a management consulting firm from Missoula. The training focuses on the initial setting up of meetings; conducting productive meetings; and following up effectively. The class will begin at 1 p.m., October 21, and run through noon on October 23, in the Montana Training Center (DNRC Building). Participants will receive the book "How to Make Meetings Work," by Michael Doyle and David Straus, and a 100-page participant manual. Cost of the seminar and materials is $215.00.

For further information call the PDC at 444-3985.

LOCAL GOVERNMENT FISCAL MANAGEMENT OFFERED IN BOZEMAN

Cities and counties across Montana are facing serious fiscal problems due to recent reductions in funding sources and the need to cut budgets. This one-day seminar, presented by Dr. Ken Weaver, professor at Montana State University, and former mayor of Bozeman, will be offered in the Holiday Inn beginning at 8:30 a.m., Wednesday, October 14. Cost of the seminar will be $55.00.

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*                        *
* Anyone desiring more information concerning *
* these and other seminars offered through *
* the auspices of the Professional Development *
* Center are urged to contact their Personnel *
* representative or call 444-3985.  *
*                        *
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PDC TRAINING SCHEDULE
FOURTH QUARTER - 1987

ONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
			OCTOBER 1 Dealing with the Angry Public-1st line	2
		Essentials of management for ASCS		
5	EOM-Leading 6 Working with SBAS Documents	EOM-Organizing 7	New Employee Orientation 8	9
12 COLUMBUS DAY	13	EOM-Delegating 14 Local Government Fiscal Management - **Bozeman**	Time Management 15 **Great Falls**	16
19	EOM-Operating 20 SupervisoryClinic II Dealing with Serious Personal Problems	POM-Controls 21	Fire Me & I'll Sue 22 **Kalispell** Excellence in Workplace	23
		Mastering Meetings for Results		
26	Advanced Editing Skills 27 First Impressions	EOM-Evaluating 28	POM-Budgets 29	30
		Effective Presentations - 3 days		
NOVEMBER 2	EOM-Controlling 3 Pre-Employment Screening-(half-day)	EOM-Synthesis 4 Public Speaking Skills **Kalispell** Transforming Work	POM-Programs 5	6
9	Preventing Sexual Harassment 10 Documenting Disciplinary Actions	11 VETERAN'S DAY	Delicate Balance: Privacy and the Right to Know 12	13
16	POM-Information 17 Intrapreneuring	Professional Writing Skills 18 EEO, Recruitment & Selection	Media Relations 19	20
23	POM-Special Issues 24 Power Communications	25	26 THANKSGIVING DAY	27
30	DECEMBER 1 Approaching Supervision	POM-Synthesis 2	3	4
		Pre-Retirement Seminar - **Kalispell**		
7	Managing Change 8	Fire Me and I'll Sue 9	How to Keep Your Job From Making You Sick 10	11
	Supervisory Clinic			
14	Working With SBAS Reports 15	16	Meetings for Results 17	18
21/28	22/29	23/30	24/31	25 CHRISTMAS

For further information call us at 444-3985 or 444-3774

OCTOBER 4 - 10 NATIONAL

EMPLOY THE HANDICAPPED WEEK

National Employ the Handicapped Week this year is October 4 - 10. Harold Russell, Chairman of the President's Committee on Employment of the Handicapped, notes that the week "offers all of us an opportunity to use our energies and intelligence to improve employment opportunities for people with disabilities." Mr. Russell suggests that "your agency or office can make a difference in the lives of Americans with disabilities by recruiting, hiring, and advancing people with disabilities." State government administrators, managers, and other hiring officials are urged to take time during October to become familiar with agency policies on employing the disabled, and to increase their awareness of the employment potential of disabled persons.

In Montana, Governor Schwinden has proclaimed the month of October as "Employ the Handicapped Month." Throughout October, the Governor's Committee on Employment of the Disabled (GCED) is making a special effort, in cooperation with Job Service and Vocational Rehabilitation offices throughout the state, to promote public awareness of the employment potential of handicapped persons.

One of these efforts is to recognize deserving persons by presenting them with Governor's Committee Awards. GCED awards are presented to recognize the exemplary efforts of:

1. employers who provide quality employment opportunities for the disabled;

2. disabled persons who become productive members of Montana's workforce; and

3. organizations and people who provide employment services to the disabled.

If you are aware of a person, employer, or organization whose efforts should be recognized, you can obtain information on how to make a nomination for a GCED award by contacting your local Vocational Rehabilitation (Department of Social and Rehabilitation Services) or Job Service (Department of Labor and Industry) office; or Ron Wilson, State Personnel Division (444-3886).

EEO PURSUIT

QUESTION:

John Doe applied for a Programmer Analyst I position with a state agency. On his application he claimed handicapped preference and included SRS certification that he was eligible for preference since he is deaf. One month after applying he received notification from the agency that he had not been selected for the position. One week later John wrote the agency requesting an explanation of the agency's hiring decision. The agency replied that while John's education and experience were competitive with those of other applicants, he did not meet the required job specification of the "ability to follow verbal instructions and to communicate verbally." The agency explained that a major duty involved frequent work at remote offices. The agency emphasized that verbal communication skills, including the use of a telephone, were essential in efficiently performing the work of the position.

John thought the agency's hiring decision was unfair and discriminatory. He filed a petition in district court under the Veteran's and Handicapped Person's Employment Preference Act (Title 39, Chapter 30, MCA), and a civil suit under the Human Rights Act (Title 49, Chapter 4, Rights of the Handicapped).

How could the state agency have avoided this situation? Was their selection decision reasonable?

RISKS TO STATE EMPLOYEES' HEALTH AND A NEW INCENTIVE TO HELP REDUCE THEM

Results from the Pro-Health Screening reveal that a state employee's most likely cause of death will be coronary artery disease, motor vehicle accidents, cancer of the breast or lungs, or suicide. Suicide is listed because, statistically, suicide is one of the most frequent causes of death in younger individuals who have not yet developed health problems.

Lifestyle related habits that place state employees at risk, in order of frequency, are:

1. Poor seat belt use. (An alarming 61% of respondents do not use seat belts or use them irregularly.)

2. Overweight. (23% of respondents have a severe weight problem and another 20% have a moderate problem.)

3. Lack of exercise. (18% get no regular exercise and another 37% get too little exercise.)

4. Elevated cholesterol. (13% have a serious cholesterol problem and another 12% should reduce their cholesterol.)

5. Smoking. (11% of employees screened are smokers.)

To help state employees overcome these risks to their health, the Stay Well Well Well Program is offering bribes.

- Fitness: If state employees attend 75% of the sessions of an approved introductory fitness class for three months, the Stay Well, Well, Well program will reimburse $35.00 of the cost of the program.

- Smoking: If state employees attend 75% of the sessions of an approved smoking cessation program, then the Stay Well, Well, Well program will reimburse 75% of reasonable costs for the programs.

- Cholesterol, blood pressure, weight: If state employees are identified as high risks and attend 75% of the sessions of approved programs, then the Stay Well, Well, Well program will reimburse 75% of reasonable costs for the program.

This offer is limited by available funds. Funds will be committed on a first-come-first-serve basis except that priority will be given to employees with identified health risks.

Employees will receive information with the September 23 paycheck on steps they should take to apply for these benefits.

If you have questions, please call Joyce Brown at 444-3871.

NETWORK COMMENTS ON DRAFT HOLIDAY RULES

The Personnel Policy Network commented on draft rules on holidays at its September 10 meeting. The rules are being revised as a result of changes in legal holidays approved by the 1987 Legislature and to provide more consistency in the administration of holidays. Following this initial comment period, the proposed rules will be formally published for public comment and a public hearing will be set.

For information on the draft rules, call Linda Kaiser, 444-3794.

EEO PURSUIT

ANSWER

John realized that he should have noted in his letter of application that he, like many other deaf persons, was very good at reading lips; and since he had not lost his hearing until he was a teenager he could speak normally. He was angry, however, that he had not been given the opportunity to prove this in an interview, and knew that the use of TDD's (Telephone Device for the Deaf) would have solved most of the telephone communication problems. He knew that he could, with few accommodations, perform the work of the position as well as any applicant with comparable education and experience. Consequently, he filed his petition in district court.

The agency in reviewing John's application made assumptions about his disability which were incorrect. At the very least, since John's education and experience were competitive, the agency should have granted him an interview; and followed the State's EEO/AA Guidelines, Appendix 2, Guide For Implementing Reasonable Accommodation, which states that: "When a handicapped person is considered for a job, it is essential to make a fair and accurate assessment of his or her qualifications. The focus should be on the person's capabilities rather than on limitations."

The agency should also have considered the State's policy on Equal Employment Opportunity (ARM 2.21.8109 4,b,ii) which states that the agency's EEO policy will "make a commitment to provide reasonable accommodation to any known disability that may interfere with a disabled applicant's ability to compete in the selection process or a disabled employee's ability to perform the duties of the job." Even if John had not been able to read lips or speak, some effort should have been made in the selection process to see if reasonable accommodations might have made it possible for him to perform the work at an acceptable level of proficiency.

For further information on EEO policies and/or guidelines, contact your agency personnel officer, or Ron Wilson or Linda Davis at 444-3871.

GOVERNOR'S COMMITTEE ON EMPLOYMENT OF THE DISABLED TO MEET

The Governor's Committee on Employment of the Disabled (GCED) will meet Wednesday, October 7, 1987, 8:30 a.m. to 3:30 p.m., in the Yellowstone Room, DNRC Building, Capitol Complex.

The public is invited to attend. For more information call Ron Wilson at 444-3886.

PAY PLAN AND INCENTIVE AWARD RULE REVISIONS COMPLETED

Revision of the Pay Plan and Incentive Award Rules is completed. Copies of the rules, a guide on Pay Plan Exceptions, and the 1988-1989 Pay Matrices were distributed in August to all holders of MOM Volume III.

For information on these rules, call Debi Flentie at 444-3871.

HEALTH NOTES

In case you missed it, July was National Hot Dog month and National Ice Cream month. A single hot dog contains about a quarter of a prudent day's allotment of salt and as much as 20 percent of a day's fat ration. And despite the high fat content of ice cream, the world still loves it. The amount produced each year is enough to provide 10 ice cream cones for every man, woman and child on earth.

Beware even if the label does say "no cholesterol, made with pure vegetable oil." The oils most likely to appear in cookies, cake mixes, snack crackers, and chips are palm kernel oil and coconut oil. These items are highly saturated, 80 percent fat or more. Beef fat and lard are under 50 percent saturated. Read the label to be sure what you're eating.

Stress vitamins when you're under stress? Sorry, no quick fix here. Only extreme physical stress, such as recuperating from surgery or a very serious illness can possibly increase the need for nutrients. If you're going bonkers from work deadlines and trying to fix an aging refrigerator and babysit at home at the same time, you don't need "stress" vitamins. You need rest, recreation, and time off.

Consumers ate 46 percent more chocolate bars in 1984 as they did in 1980. Americans spent $1 billion on corn chips in 1985 and produced 900 gallons of ice cream in 1986. Between 1970 and 1986, consumption of cake and cookies went up 56 percent. The sales of larger-sized clothing hovered around $8 billion in 1986.

At least three separate groups of researchers are working on a way to have your cake and eat it too. They are experimenting with ways to remove cholesterol and saturated fat from butter, egg yolks, and beef fat. According to their plans, they claim the methods they're working on do not affect flavor, appearance or texture of these high fat foods.

There is one less risk linked to drinking coffee--pancreatic cancer. Five years ago researchers suggested one to four cups a day could double or triple the coffee drinker's risk of pancreatic cancer. The original researchers now think there is only a slightly increased risk for people drinking five or more cups a day. Other studies in Norway and Hawaii conclude that there is no relationship between coffee intake and cancer of the pancreas.

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DEFERRED COMPENSATION EMPLOYEE MEETINGS

The Employee Benefits Bureau is sponsoring informational meetings on the Deferred Compensation Program. The one-hour meetings will provide employees with updated information on tax advantages, investment options, program requirements, and tax law changes on the Deferred Compensation Program.

Meetings have been scheduled for Helena employees the week of September 22 and October 6. Those schedules are available from individual departments in the State Personnel Division. For employees located outside Helena, the Deferred Compensation information will be combined with a presentation on Group Insurance Benefits next spring and summer.

Deferred compensation is an important state sponsored employee benefit. Please encourage employees to attend these meetings. If a scheduled meeting time is not convenient, please call Debi Flentie at 444-3887.

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MONTANA PERSONNEL PERSPECTIVES

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IT WAS TIME

by
William R. Palmer
Assistant Administrator
Division of Workers' Compensation
Department of Labor & Industry

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PART II of III -- THE PROCESS

Most of the people involved in workers' compensation recognized the need for reform. The only unanswered question was, "How much reform?" Governor Schwinden emphasized this need when he appointed a 20-member advisory council to review the system and make recommendations for improvement. On February 14, 1985, the governor addressed the new council and charged the group to recommend changes which would be both "people sensitive" and "cost conscious." The council, composed of representatives from every interest group involved in workers' compensation, subsequently met 19 times. Its final meeting was held on November 12, 1986.

Most meetings were at least eight-hour sessions, and some lasted two days. At first the council struggled, but as members became more aware of the problems facing the system, the intensity of the discussions grew tremendously. Votes were taken; not every ballot was unanimous. But council members kept sight of the need to keep the system in tact and to ensure adequate benefits were provided at an affordable cost. After a great deal of "dialogue" they settled many issues by compromise. After six public hearings during the spring, the council issued its first report in June of 1986. Still several issues were not resolved. Additional topics needed further consideration. They requested and received permission from the governor to pursue those topics in order to develop supplemental recommendations. The final report was published in November of 1986.

During this process, the Department of Labor suggested additional changes to the council which it felt were necessary to improve the system. The council accepted some and rejected others. The Department felt very strongly that if the system was to regain solvency and provide lasting reform, a firm approach had to be taken. It was with that in mind that the Department approached the governor. In preparing its legislative package for the governor's approval, the Department incorporated about 80% of the council's final recommendations.

The media was intensely involved in the process, and press coverage, especially during council discussions, became widespread. Division employees were made aware that their employer was definitely in the spot light.

The Department made it a point to inform and educate the public and the legislature. People had to be made aware of the issues facing a system in trouble. All the way from Ekalaka to Troy folks were told that something could be done to improve and yet preserve a vital social system. It was time.

Next Month: Part III

EEO PURSUIT

QUESTION:

Jane Olson, a new personnel officer with a state agency, has received 50 applications for an Administrative Aide position. One of the applicants selected for an interview has indicated in her application that she is confined to a wheelchair. Jane is unsure about what information needs to be gathered in the interview with the applicant. She is also unsure about how the applicant's disability affects the selection process. Where can she obtain this information?

IMPLEMENTATION OF NEW CLASS SPECS FOR ADMINISTRATIVE ASSISTANTS

The Classification Bureau has completed a preliminary review of all Administrative Assistant positions using standards adopted in the new class specifications issued June, 1987. This preliminary review indicated that approximately 125 positions out of 260 are misclassified according to the new standards.

There are several reasons for the magnitude of change resulting from this review. First, a decision was made to create a new series called Program Technicians for positions that require more specialized, less transferable, knowledges and skills. About 50 of the now misclassified positions will be reallocated to this new series.

Second, standards for distinguishing Administrative Assistants from Secretaries, Office Supervisors, and other similar classes have been better defined. This "tightening up" of criteria for Administrative Assistants meant that many positions would be better allocated to other classes. Approximately 60 positions were affected by this stricter interpretation of the title "Administrative Assistant."

Third, current and adequate position descriptions were not available for many of the positions included in the review. Allocation recommendations were based on the information available, but agencies were urged to provide better positions descriptions and request further review, if these recommendations didn't appear to be correct.

Agencies have several options for responding to the reclassification recommendations that resulted from this review. Classification Plan Rule 1722 in M.O.M. Policy 3-0401 outlines these options.

For more information, call Lana Loughrie at 444-3854 or Paula Stoll at 444-3805.

OCTOBER IS AIDS AWARENESS MONTH

On September 15th, Governor Ted Schwinden proclaimed October 1987 as AIDS AWARENESS MONTH. The Governor noted that the state's Department of Health and Environmental Sciences has established agreements with public health departments and family planning clinics to provide accurate information, and he called on all Montana citizens to get the facts about AIDS.

In issuing the proclamation, Governor Schwinden stated that "Montana joins the rest of the nation in responding to acquired immunodeficiency syndrome through a public awareness and education campaign."

For further information, call Rick Chiotti at 444-4740.

PUBLIC HEARING ON HOLIDAY RULES SCHEDULED

A public hearing to receive testimony on the Holiday Rules is scheduled for November 19 at 12:15 p.m. in Room 136 at the Mitchell Building.

New rules are proposed to provide a reliable procedure for consistent calculation of holiday benefits, to insure a consistent method for calculation of pay for work performed on the holiday, and to incorporate into rule interpretations necessary to deal with unusual situations. Copies have been sent to department directors and Personnel Network members. Written comments will be accepted until November 27, 1987.

For additional information call Linda Kaiser, 444-3817.

DEPARTMENT OF ADMINISTRATION RECEIVES GOVERNOR'S COMMITTEE AWARD

Ellen Feaver, Director; Jim Nys, Personnel Officer; and Barb Kain, Personnel Specialist; of the Department of Administration were presented with the Governor's Committee on Employment of the Disabled Award for the Department's efforts in hiring the handicapped. Over the past year, four disabled persons have been hires as permanent employees in the Department.

The hirings occurred as part of a larger program the Department of Administration has undertaken in providing temporary work assignments through the Adult Work Experience Program. Through this program disadvantaged job seekers obtain work experience which increases their skills and, consequently, their chances of obtaining permanent employment.

While an employer is under no obligation to hire on a permanent basis, the department gives work experience participants special consideration for regular position openings. The success of this program has been outstanding. Of 14 individuals provided work experience opportunities through the department in the last year, eight have been hired by the department in permanent jobs. The other six participants have obtained employment with other agencies or companies. Four of the eight hired by the department were eligible for the program because of a disabling condition.

Other agencies are urged to consider the Work Experience Program as a way of affirmatively providing opportunities for the disabled and the disadvantaged.

For further information, call Jim Nys at 444-4613.

EEO CONFERENCE AND DISABLED FORUM RATED A SUCCESS BY PARTICIPANTS

The EEO Conference, held September 23rd and 24th, was attended by over 70 participants and speakers. The conference agenda included presentations on AIDS, sex discrimination, the Immigration Reform and Control Act, wrongful discharge, drug testing, significant court case decisions on discrimination, and reductions in force.

The Forum on Disabled Employment Issues featured speakers from three major groups: employers, service providers, and disabled advocacy groups. The purpose of the forum, attended by over 110 participants and speakers, was to identify critical issues and recommendations concerning improvement of employment opportunities for the disabled.

A panel discussion on "The Affect of Aids in the Workplace: and the keynote address by Jay Rochlin, Executive Director of PCEH, were identified as conference highlights by participants. The entire conference received very favorable comments and evaluations. The Disabled Forum was cited as a very valuable process for improving communication among employers, advocates and providers. Considerable interest was expressed in making the forum an annual event.

Anyone wanting additional information about the conference of forum should call Linda Davis at 444-3796, or Ron Wilson at 444-3886.

JUST A REMINDER

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NOVEMBER 27, 1987 IS NOT A LEGAL HOLIDAY.

HERITAGE DAY WILL BE OBSERVED ON NOVEMBER 24, 1988.

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HEALTH NOTES

There's an old Smothers Brothers' joke: Question: Why did you yell "Fire" when you fell into a vat of chocolate? Answer: Who would have listened if I'd yelled "Chocolate?"

Probably a lot of people. Millions of people are addicted to chocolate claiming it equals love, fame and riches. To harrangue about unhealthy fallout from eating too much chocolate would be useless. Instead, we offer some interesting tidbits for chocoholics.

CHOLESTEROL. None in chocolate. But it does have fat (cocoa butter) of the saturated kind which raises your cholesterol. The darker the chocolate, the more fat (and calories) in it. Bitter chocolate is 55 percent fat, bittersweet 45 percent, milk chocolate 30 percent, and cocoa 15 percent.

CAFFEINE. Between 5-30 milligrams to an ounce. The darker the chocolate, the more caffeine. To compare, a cup of coffee has 128 milligrams of caffeine.

CALORIES. Between 120-200 an ounce. The high fat content means lots of calories. Also, most chocolate is half sugar.

ACNE. Chocolate doesn't cause acne. Never has, never will.

SUBSTITUTIONS. True chocoholics know there are none. However, if you're cooking, the American Heart Association says you can try this: Make a paste from one tablespoon of polyunsaturated oil or margarine and three tablespoons of cocoa. This is equivalent to a one-ounce square of cooking chocolate and reduces the saturated fat.

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EEO PURSUIT

ANSWER:

Most information needed on hiring the handicapped for state executive branch positions is provided in the State's Equal Employment Opportunity and Affirmative Action Guidelines. Chapter III of the Guidelines, "EEO for the Handicapped," deals mostly with writing AA plans for the handicapped, but also provides a good overview of an agency's responsibilities in hiring the handicapped. Review of the Chapter leads Jane to check her agency's current Affirmative Action Plan for specific action items affecting the selection of handicapped applicants.

A "step by step" approach to collecting information and evaluating a handicapped person's application is included in Appendix 2 of the State Guidelines, "Guide for Implementing Reasonable Accommodation." If Jane follows the instructions in this guide, and fills out a "Handicapped/Disability Selection Guide-Form A," (Appendix 3 of the State Guidelines), she should have all the information needed for a selection decision.

October is "Employ the Handicapped Month" in Montana. During November and December, EEO Officers will be preparing Affirmative Action Plans for 1988-89. State managers and hiring authorities are urged to work with their EEO Officers in formulating affirmative action plans for hiring the handicapped over the next two years.

For further information, call Ron Wilson, 444-3886.

PDC CALENDAR

PRE-Employment Screening

This half-day seminar is intended for those who must do the initial screening of applications for positions within their organizations. This often confusing, and always time-consuming task can be made a little easier by following some reasonable and time-tested screening methods. The seminar will be presented November 3 in the Montana Training Center (DNRC Building) beginning at 10 a.m., and will end about 3 p.m. Instructor for the course will be Linda Kaiser of the State Personnel Division. Cost is $40.00.

Public Speaking Skills

This seminar will be taught in the Ramada Inn (Formerly Leavengood's Motel) south of Kalispell on November 4, from 8:30 a.m. to 4:30 p.m. Instructor will be Vondene Hopkins of Dynamics, Inc., a Havre Consulting firm. This one-day workshop will present the basics of speech preparation, rehearsal and delivery. Cost is $65.00 and includes all materials necessary for the course.

Delicate Balance:
Privacy and the Right to Know

This seminar, presented by John Moore of the Professional Development Center staff, will be offered in the Montana Training Center (DNRC Bldg.) on November 12. This workshop examines the sometimes difficult decision facing those in public service regarding their responsibility to both sides of the issue. Cost of the seminar is $55.00.

Professional Writing Skills

Mary Ellen Campbell from the University of Montana will teach this seminar on contemporary use of written English. The seminar will be held in the Montana Training Center (DNRC Bldg.) beginning at 8:30 a.m. November 18. Cost is $65.00.

* *

Anyone desiring more information concerning these and other seminars offered through the auspices of the Professional Development Center are urged to contact their Personnel representative or call 444-3985.

* *

PROFESSIONAL DEVELOPMENT CENTER

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Montana Personnel Perspectives is published monthly by the Department of Administration, State Personnel Division. It is intended to keep personnel officers and agency managers informed of developments in the area of personnel management. Materials may be reproduced by state agencies without permission. Comments should be directed to the State Personnel Division, Mitchell Building, Helena, Montana (444-3871)

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MONTANA PERSONNEL PERSPECTIVES

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IT WAS TIME

by

William R. Palmer
Assistant Administrator
Division of Workers' Compensation
Department of Labor & Industry

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PART III of III -- THE REFORM

Introduced by Senator Bob Williams and supported by Governor Schwinden, Senate Bill 315 was a composite of both departmental and advisory council recommendations for improvements and changes in the workers' compensation system. As several advisory council members felt the Department of Labor & Industry recommendations went "too far," they asked Senator Van Valkenburg to introduce Senate Bill 330, which incorporated only advisory council suggestions. The bills were similar in 23 areas. The governor's bill had 16 exclusive proposals and projected reduced costs of 21-23%. The advisory council's had 10 exclusive proposals and estimated cost savings of 14-17%. After an extensive hearing and a negotiation compromise process, Senate Bill 315 was amended in a few areas and received wide legislative support in both houses.

However, these two bills were not the only reform measures considered by the legislature. The House introduced 27 various workers' compensation bills, passed 16 and killed 11. The Senate introduced 16 bills, passed 7 and killed 9. Forty-three bills were introduced; twenty-three passed. None was as extensive as Senate Bill 315, but all had an eye toward reform. In general, the reform changed the manner in which benefits would be paid rather than changing the benefits themselves. Wage loss compensation under the new Act continues to pay 2/3 of the wages received at the time of injury up to a maximum of the state's average weekly wage. However, the maximum rate was frozen at $299 until July 1, 1989. The Reform Act established a waiting period so that new a worker receives wage-loss compensation from the seventh day of wage loss with no retroactive provision. Partial disability payments, which are paid after a worker reaches maximum healing, are now available for a 500 week period regardless of the severity of the injury as long as wage loss results from the injury. Previously an arbitrary schedule limited benefits based upon the part of body injured. Indemnity awards for the potential loss of future earnings were eliminated.

Medical panels were established to evaluate workers' disabilities and issue impairment ratings. Workers who suffered total disabilities were provided with a cost-of-living allowance for the first time. Lump sum payments, which became a focal point in the review process, were severely restricted. Medical benefits remained the same, but the division was given new authority to regulate hospital costs.

Benefits for a surviving spouse were limited to ten years, rather than lifetime, and they cease upon remarriage. The two-year dowry payment upon remarriage was eliminated.

The entire rehabilitation process was rewritten, emphasizing "return to work" as the first priority. Vocational rehabilitation services are still available but are determined by the worker's remaining skills and abilities as well as the job market.

Provisions were made for parties found guilty of fraudulently obtaining benefits from the system. Conviction may now result in a $50,000 fine and/or ten years in prison.

Claimants were given the advantage of a two-year return to work preference over other applicants for comparable jobs with the same employer. The employer may not now fire a worker for filing a claim. An employee may now lose benefits if the sole cause of the injury can be attributed to drug or alcohol abuse unless the employer knew about it and did nothing to prevent the abuse.

Employers failing to provide coverage or falsifying records, or not paying premiums, may be fined up to $50,000 and/or serve ten years in prison.

Other legislative changes included definition modifications of "injury" and "accident"; changes in the definitions of "wages", and benefits"; modification of attorney fee regulations; construing the Act according to its terms and not liberally in favor of any party; dispute resolution first through a mediation process prior to a hearing before the Workers' Compensation Court; financial incentives for employers who institute formal safety programs; changing the time a worker has to notify the employer of an injury from 60 days to 30 days; and allowing the State Fund to hire sufficient staff to accommodate workload demands.

To assist in removing the unfunded liability experienced by the State Compensation Insurance Fund, legislation was passed providing for a three tenths of one percent (.03%) payroll tax for a four-year period on all employers subject to workers' compensation.

The 1987 Legislature made giant strides toward reform of the Montana workers' compensation system. The reform was "cost conscious" and "people sensitive." It was time.

GROUP BENEFITS ADVISORY COUNCIL

The Group Benefits Advisory Council met on October 22. The council discussed enhancements to the Nationwide contract for the Deferred Compensation Plan. Debi Flenti briefed the council on the status of the Deferred Compensation Plan and her attendance at the Annual Conference of Deferred Compensation Administrators.

Joyce Brown reported that claims costs for the 86-87 benefit year had increased 19% over the previous 85-86 year, averaging $1.38 million per month. She noted that such an increase in costs had been projected because of a nationwide upturn in medical costs and that revenues have kept pace with the increased costs as projected.

Ms. Brown reported that the Employee Benefits Booklet had been drafted and was being reviewed internally, and by the benefits consultant, Blue Cross/Blue Shield, and the state's life insurance carrier (NWNC).

For more information contact Debi Flentie, 444-3887 or Joyce Brown, 444-2553.

GUIDE FOR STATE EMPLOYEE NEWS ISSUED

The Department of Administration and the Helena Independent Record have been working on ways to publicize activities of state government and Helena employees. The goal is to see state government accomplishments featured in the same way private sector business and individual news is reported.

To assist agencies in providing news of agency and employees, the department and the IR have developed a Guide for State Employee News. Copies of the guide have been distributed to agency heads and to personnel officers.

Departmental news, such as new programs, changes to existing programs, public hearings, reports issued, reorganization of an agency, and top-level management appointments may be submitted in a timely manner to Bill Wilke at the Independent Record, Box 4249, Helena, MT 59604.

News of individual employees, such as promotions, retirements, awards, continuing education, longevity recognition, publication of articles in national periodicals or new appointments may be submitted to Gale Kuglin, State Personnel Division, Department of Administration.

The Independent Record is interested in news of Helena-based employees. Agencies could use the

format suggested in the guide to submit news of employees based around the state to their local newspapers.

Additional copies of the guide are available by contacting Mr. Wilke, 442-7190, ext. 267. If you have questions about this program, call Gale Kuglin, 444-3984.

AFFIRMATIVE ACTION PLANNING PROCESS HAS BEGUN

The Affirmative Action Plan (AAP) writing process has begun for calendar year 1988-89. Preparing an agency AA plan is a detailed process completed once every two years. The process, which started this October, will end with approved affirmative action plans in January, 1988.

Agency EEO officers started this process in October by verifying and updating the Workforce Analysis and Availability Analysis.

The Workforce Analysis is a detailed report on the number of employees by race, sex, disability, and age (over 40 years), in each position, job class (i.e. Accounting Specialist), occupational group (i.e. Accountants) and EEO-4 category (i.e. Professionals).

The Availability Analysis estimates the percentage of minorities and females in the Montana civilian labor force who have skills necessary for entry into each specific state government job class and occupational group. Current state census data is used for estimating availability figures.

Once the Workforce Analysis and Availability Analysis are updated, a Utilization Analysis will be generated and sent to agencies. This analysis compares an agency's workforce (using data from the Workforce Analysis) to the Montana laborforce (using data from the Availability Analysis) to determine whether or not a protected group (i.e. women, minorities) is underutilized. Underutilization means having fewer minorities or women in a particular classification or occupational group than would reasonably be expected, compared to their availability in the laborforce.

For example, if an agency's Workforce Analysis shows that 50% of its accountants and auditors are women, and Availability Analysis shows that 46% of accountants and auditors in Montana are women, then women are not underutilized in that occupational group. But, if the agency's employment of women was significantly lower than availability (i.e., if only 15% of accountants and auditors were women), then there would be an underutilization problem which should be addressed in the agency's affirmative action plan.

The analysis is not conducted for the disabled because there is no availability data. Federal law requires individual rather than statistical analysis for hiring the disabled.

Agency EEO officers will begin working with directors and agency managers to determine the cause or causes for the underutilization and to develop an affirmative action plan to correct the deficiencies. The AA Plans should be completed by January 1, 1988.

Next month's Perspectives will explain how to identify the cause or causes of underutilization and how to develop an AA plan to correct problem areas.

If you have questions or would like more information, call Linda Davis at 444-3796 or Ron Wilson at 444-3886.

INCENTIVE AWARDS ADVISORY COUNCIL

The Advisory Council met on October 20 to review 13 applications. No awards were recommended. The Council reviewed ways to increase the program's visibility.

For more information contact Debi Flentie at 444-3887.

EEO PURSUIT

QUESTION?

The EEO officer for a state agency has identified a job group in the agency which is almost totally male dominated. The entry level requirements would not seem to exclude females from qualifying. In a proposed Affirmative Action Plan the EEO Officer has established a goal of hiring four women out of an estimated ten openings over the next two years in this job group. This goal would be accomplished by hiring a woman whenever her qualifications are substantially equal to male applicants.

In reviewing the AA Plan, the agency director has expressed concern that setting goals for hiring women will result in charges of reverse discrimination by male applicants and will be resented by male employees already in the job group. The Director feels that including these items in the AA Plan is an admission of past discrimination by the agency. Is the director justified in these concerns?

DEFERRED COMPENSATION MEETINGS HELD

Employees recently attended meetings explaining the deferred compensation program and discussing the current status of the program. 29 meetings were conducted in September and October by the Employee Benefits Bureau and Montana Benefits Inc. Sessions for interested employees covered Program Administration; Tax Deferral; and benefit, investment, and withdrawal options. Meetings for employees outside of Helena will be scheduled for next spring.

For more information, call Debi Flenti, 444-3887.

UNITED WAY

The United Way of Lewis & Clark County is trying to raise $425,000 for use by 22 different agencies. Of that goal, the State of Montana employees have been asked to raise $81,000. As of November 3, state employees have achieved 67% of goal or $54,648. 33% of employees have contributed an average of $41.00 per person. To meet the goal, 688 additional employees need to pledge an average of $41.00 per person.

The Governor's Office has achieved 144% of goal with 73% employee giving; Environmental Quality Council 120% of goal with average gift of $124.00 per employee; Justice Department 115% of goal; Department of Administration 112% of goal with 49% employee giving; Department of Commerce 99% of goal with 35% employee giving; Department of Institutions 62% of goal with 63% employee giving; Political Practices achieving 100% employee giving with an average gift of $90.00 per employee; Public Service Commission 97% of goal with an average gift of $106.00 per employee; Department of Revenue 67% of goal with 64% employee giving; SRS 87% of goal with 46% employee giving; and the University System 87% of goal with 69% employee giving. There are 10 departments in State government which have shown from 0 to 7% of goal at this time.

For further information see your division United Way Coordinator.

HEALTH NOTES

WHAT'S YOUR C.Q.? (CHOLESTEROL QUOTIENT)

Test your cholesterol quotient by taking the following quiz.

1. The vegetable oil bottle says "contains no cholesterol" in big red letters. This is the product to buy.

___ True ___ False

2. Fish oil pills to reduce cholesterol haven't really been proven to be effective.

___ True ___ False

3. A chef's salad is a good low-fat, low cholesterol lunch.

___ True ___ False

4. Candy bars like Snickers, promoted as good pick-me-ups, are O.K. as far as cholesterol.

___ True ___ False

5. Chicken is a good low-cholesterol meat.

___ True ___ False

6. Pork has been advertised as "the other white meat." It is lower in fat and cholesterol than beef.

___ True ___ False

7. You don't have to worry about cholesterol with breakfast cereals.

___ True ___ False

8. Taking drugs to lower cholesterol is not a good idea for everyone with high cholesterol.

___ True ___ False

ANSWERS:

1. FALSE. (Or Maybe. Read the label.) Cholesterol is found only in animal foods - meat, some shellfish, dairy products and eggs. So of course, bottles of vegetable oil have no cholesterol. But they have varying levels of saturated fats. Saturated fats can raise blood cholesterol levels as much or more than eating foods high in cholesterol. Generally, safflower and sunflower oils are low in saturated fats. Corn oil is a good choice too. Read labels and avoid products which just say vegetable oils. They don't tell you how much saturated fat you're getting.

2. TRUE. Eskimos and other Arctic residents used to eat huge quantities of fish high in fat, and had few heart problems. From that, it was presumed that the fatty oils in fish prevent heart attacks. Drug companies began manufacturing and pushing fish oil pills as a way to reduce cholesterol. Most doctors are very cautious about fish oil supplements. You would have to take about 50 pills a day to get what the Eskimos get in fish and the pills really haven't been proven to prevent heart problems. The general recommendation, is to add more fish to your diet - one to two times a week.

3. FALSE. By the time you pile on the bleu cheese or thousand island dressing, and eat the cheese, eggs, meat, sunflower seeds and croutons fried in oil, you've got a pretty high-fat, high-cholesterol lunch. A garden salad with carrots, broccoli, spinach, romaine lettuce, etc. served with oil and vinegar dressing on the side which you add sparingly is much lower in cholesterol and total fat.

4. FALSE. Candy bars, especially chocolate ones, are high in saturated fats (cocoa butter, palm oil, coconut oil) and may have a good ration of cholesterol, too (butter, eggs). Better candy choices for your sweet tooth are jelly beans, gum drops and hard candy like fruit suckers and life savers. Even better is fresh fruit, frozen fruit and

juice bars, and sorbet.

5. TRUE. Poultry is a good way to change the I-eat-meat-seven-days-a-week routine. Remember, the best way to prepare poultry is to remove the skin (which contains half the chicken's fat) and pull off the visible globs of fat elsewhere on the bird. Don't use commercial mixes like Shake 'n Bake regularly because they contain extra fat. If you routinely hit the fried chicken restaurants for your poultry selections, your virtuous eating is short-lived. Basically what you get there is chicken-flavored, french fried fat.

6. TRUE. The pork in the supermarkets and meat shops today has about half the fat of 20 years ago. Pork generally is less saturated than beef. (Beef producers are now aiming leaner and better-trimmed cuts at consumers. Look for them.) Pork still has more fat than chicken or turkey white meat. When buying pork, get lean cuts with little marbling and trim off extra fat.

7. FALSE. Many packaged breakfast cereals, particularly the so-called healthy granolas contain the highly saturated oils: palm oil and coconut oils. These oils are saturated and can raise blood cholesterol just like beef fat and lard. Shredded wheat, oatmeal (not instant) and the puffed cereals (rice, wheat) have no fat. Read the labels to get low or lower fat cereals.

8. TRUE. Cholesterol-lowering drugs are for people with congenitally high blood cholesterol levels and people who can't lower very high cholesterols other ways. Like any medicine, these drugs can have side effects and can be expensive. Doctors suggest trying to control cholesterol first with diet changes and exercise. However, if your cholesterol won't come down to safe levels with prudent eating and more exercise, you should ask your doctor if these drugs might be an option for you.

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SICK LEAVE FUND REPORT ISSUED

A report on the Sick Leave Fund has been prepared by the State Personnel Division, describing the fund's first year in operation. The report describes the development of the fund and the direct grant program and summarizes the activity up to August 7, 1987.

As of August 7, 1987, 273 employees have joined the fund. They have contributed 3,408.5 hours to the fund. One employee has received a grant of 20 hours from the fund. This employee had also received 140 hours in direct grants.

As of the time the report was prepared, 46 employees had received direct grants from their co-workers. A total of 4,616 hours were used in direct grants from 335 employees.

Since the report was issued, membership in the fund has increased to 353 employees, who have contributed 4240.5 hours of sick leave. Fifty-six employees have received direct grants totaling 6084.5 hours of sick leave from co-workers.

Copies of the report have been distributed to directors, agency personnel officers, and the advisory council. Other interested in obtaining a copy of the report should call Gale Kuglin, 444-3984.

EEO PURSUIT

ANSWER!

The agency director's concerns about charges of reverse discrimination and of admitting past discrimination have been addressed by a recent U.S. Supreme Court decision. The court found that a history of past discrimination is not necessary in order to adopt an affirmative action plan, but that it is sufficient for the employer to show a conspicuous imbalance in its work force. The court also found that charges of reverse discrimination would be invalid as long as an affirmative action plan:

-- is temporary and designed to attain a balanced work force rather than maintain it.

-- does not exclude men from the possibility of being hired or promoted.

-- does not contain absolute quotas, but general goals.

-- does not make sex the only factor in a hiring or promotion decision, only a "plus" factor, along with other factors in considering a candidate.

The director's concern about resentment by the present predominantly male work force in the job group is a real concern. If employees are not educated about affirmative action in general or about an affirmative action plan which may directly affect them, unnecessary misunderstandings and apprehensions will probably occur. Ideally, not only hiring officials and management, but all employees should be educated about the principles and goals of affirmative action.

For additional information, call Ron Wilson, 444-3886 or Linda Davis, 444-3796.

PDC ANNOUNCES THREE SPECIAL CLASSES DURING THE MONTH OF DECEMBER

The Professional Development Center announces three special classes to be held during the month of December.

PRE-RETIREMENT SEMINAR:

A Pre-Retirement Seminar, jointly sponsored by the PDC and Public Employees Retirement System, will be held at Cavanaugh's Inn in Kalispell, December 1 and 2. This popular seminar is intended for state employees within five or fewer years until retirement. It covers physical, and mental, as well as financial aspects of retirement. Participation is limited to 20 state employees. Their spouses may also attend attend free of charge. Cost of the seminar is $48.00.

SUPERVISORY CLINIC:

Gretchen Bailey, management consultant, will conduct this two-day Supervisory Clinic, dealing with the correct handling of employee problems. The workshop covers three specific areas of personnel issues: attitudes, performance problems, and personal problems. The seminar, to be held in the Glacier Room, DNRC Building, will begin at 9 a.m. on both December 8 and December 9. Cost is $95.00 for the two day seminar.

WORKING WITH SBAS REPORTS:

Because SBAS is the backbone of the state budget, every manager should have some knowledge of how its reports are organized and what information they provide. This seminar on December 15, in the DNRC Building, will do just that. Terry Atwood, Accounting Division, is the instructor. Cost is $55.00.

For further information call the PDC at 444-3985.

PROFESSIONAL DEVELOPMENT CENTER

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For further information call us at 444-3985 or 444-3774

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Montana Personnel Perspectives

Volume VII, Number 8

December 1987

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ROUTE TO:

PLEASE RETURN

RETURN TO:

THE MONTANA AIDS PROJECT

by

Marsha McFarland, Health Educator
Montana AIDS Project
Department of Health and Environmental Sciences

Part I of III

The Montana AIDS Project is supported in total by a grant from the Center for Disease Control in Atlanta. This 5-year, federal grant is renewable annually. The project's focus derives from the grant agreement: to reduce the transmission of human immunodeficiency virus (HIV) infection, thereby reducing the incidence of AIDS.

In support of this goal, the project conducts two primary activities: 1) education directed toward the general public to increase knowledge about AIDS; and 2) counseling and testing aimed at influencing those individuals who are most at risk to make necessary changes in behavior. Subsequent grant initiatives will broaden the scope of the Project.

The Project funds nine counseling and testing sites located in local health departments and family planning clinics across Montana. In fact, nearly 85% of the state's population is within a one-hour drive of a test site facility. These alternate test sites, as they are called, provide a place where anyone who wishes to know their HIV antibody status may receive a free and confidential test in conjunction with pre- and post-test counseling. Confidentiality and counseling are instrumental to influencing personal behavior changes. Because of the possibility of personal discrimination currently associated with AIDS, the protection of client records and assurance of confidentiality to individual's who present for a test are essential.

PLEASE RETURN

The pre- and post-test counseling are significant components of the testing program. Because the test does not tell whether a person actually has or will develop AIDS, but rather is a test which detects the presence of antibodies to the virus, accurate interpretation of test results require comprehensive knowledge of the person's physical and social history. Pre-test counseling helps ensure that individuals who are tested are at risk and need to be tested. In pre- and post-test counseling, the client and counselor talk about behaviors which create risk for exposure to the virus, how this risk can be reduced by changing their behaviors (sexual activity, IV drug use), and consider what the test results might mean in the client's life. By providing pre- and post-test counseling, the alternate test sites deliver one-on-one educational messages about essential behavior change to persons who are or who perceive themselves to be at risk for exposure to the AIDS virus.

The general public also needs to know what AIDS is, how it is transmitted and how it is not transmitted to keep the prevalence of AIDS in Montana low. Also, education for the general public reaches individuals at risk who, because of their covert lifestyles, cannot be reached directly as a member of a risk group. The Montana AIDS Project works to deliver educational messages to the general public by working with the schools, employers, government agencies, civic groups, and health care providers.

In coordination with the State Office of Public Instruction several packets of information about AIDS are made available to any school requesting assistance with policy or curriculum development. A procedural guideline for providing services is provided to address frequently asked questions about transmission and protection in the workplace or in providing service to someone with AIDS.

A collection of educational materials is housed at the Project office. These materials include video tapes and printed materials which have been approved by a review panel and classified for audience viewing. The Project loans the tapes on a weekly schedule and the printed materials are available in limited quantity upon request.

For the first year of its existence the Project has undertaken to provide education to the general public through community presentations by Project personnel. Referred to by Project staff as "AIDS 101," presentations have been delivered to audiences in many Montana communities. The objective of the "AIDS 101" presentation is to convey what AIDS is, how it's transmitted, how it isn't transmitted, and to allay fears and dispel misunderstanding about risk factors. Many of the requests for presentations to the general public have originated from local school districts. Professional associations have also accounted for a large number of requests for information about the effect of AIDS in the workplace. Law enforcement officers, primary responders, foster care providers, health care employees, social service workers, and teachers are among the professional groups who have requested presentations about AIDS and their jobs.

Providing public education presentations has consumed a significant amount of Project staff time. In the first year more than 125 public presentations were offered by AIDS Project staff. Since the demand to provide information through this method continued to increase, the Project solicited local health agencies to provide health education and risk reduction services on a regional basis. Utilizing a train-the-trainer concept, these local Health Education and Risk Reduction (HERR) sites will develop, with Project assistance, local resource people in regional communities. By preparing volunteers from the local community to provide informational presentations, the Project's objectives for education are strengthened. This process creates an expanded base of knowledgeable individuals in Montana capable of delivering educational messages. Consequently, more Montanans will be able to make informed decisions on how to protect themselves against AIDS and at the same time respond with understanding and compassion if AIDS affects someone they know.

The alternate test sites are:

Billings: Deering Community Health Center, 256-6821;

Bozeman: Bridger Mountain Family Planning, 587-0681;

Butte: Butte-Silver Bow City-County Health Department, 723-6507;

Glendive: Dawson County Health Department, 365-5213;

Great Falls: Cascade City-County Health Department, 761-1190;

Havre: Hill County Health Department, 265-5481, ext. 66;

Helena: Lewis and Clark City-County Health Department, 443-1010, ext. 358.

Kalispell: Flathead City-County Health Department, 752-5300, ext. 343.

Missoula: Missoula City-County Health Department, 721-5700, ext. 398.

Health Education and Risk Reduction regional projects are:

Region 1:
Glendive, Dawson County Health Department, 365-5213.

Region 2:
Great Falls, Cascade City-County Health Department, 761-1190.

Region 3:
Billings, Deering Community Health Center, 256-6821.

Region 4:
Bozeman, Gallatin County Health Department, 585-1445.

Butte, Butte-Silver Bow City-County Health Department, 723-6507.

Helena, Lewis and Clark City-County Health Department, 443-1010, ext. 358.

Region 5:
Missoula, Missoula City-County Health Department, 721-5700, ext. 398.

IDENTIFYING AND CORRECTING CAUSES OF UNDERUTILIZATION

In the November Personnel Perspectives it was noted that agency EEO Officers had begun preparing affirmative action plans for calendar years 1988-89. Since an effective AA plan cannot be developed and implemented without the understanding and cooperation of agency management, information for managers and hiring officials on affirmative action planning and analysis is provided in the Perspectives to promote an understanding of the process.

Last month's article explained how underutilization of a protected group is identified. Underutilization means having fewer minorities or women in a particular job class or occupational group than would reasonably be expected compared to their availability in the laborforce.

For example, if 15% of an agency's accountants and auditors are women, but 46% of accountants and auditors in Montana's laborforce are women, then the agency is underutilizing women in this occupational group.

Whenever underutilization is identified, agency management needs to determine why a protected group has not obtained a representative share of available jobs. Underutilization usually results from something in the recruitment and selection process that works against the protected group.

A recruitment problem means an employer has fewer minorities or women applying for positions than the employer would reasonably expect when compared to their availability in the laborforce. A recruitment problem is identified by comparing a protected group's representation as a percentage of all applicants over a significant period of time to their representation in the laborforce.

Using the case of underutilization of women as accountants and auditors cited above: if over a two year period, only 50 of 250 applicants were women (20%), then recruitment methods should be examined to determine why women are not applying in numbers commensurate with their laborforce representation of 46%.

In this example, an examination of recruitment methods may show that positions open to external recruitment in this occupational group had been advertised only locally, and consequently had not come to the attention of many women meeting the minimum qualifications. Having identified this as a probable cause of the recruitment problem, the agency needs to include in its AA plan an action item which states that it will advertise all job openings in this occupational group statewide, with postings in all state Job Service offices.

A selection problem is most commonly identified by comparing the selection rates for protected groups to their opposites in the workforce. A selection rate is determined by dividing the number of persons hired in a certain group by the number of applicants in the same group. Using the same example as above, if one woman was hired out of the 50 that applied, the selection rate for women would be 2%. If 15 men were hired out of the 200 that applied, the selection rate for men would be 7.5%. Since the selection rate for women is significantly lower than for men in this example, then selection procedures should be examined for factors having an adverse impact on women.

An examination of selection practices may, for example, show that selection criteria for positions in this job group have unjustifiably weighted the years of work experience of applicants too heavily, and that the relevance of work experience has not been weighted heavily enough. The

examination may also show this overemphasis on years of experience has had a significant adverse impact on the selection of women. The affirmative action plan may, consequently, have an action item which calls for a change of weighting in selection criteria, or which calls for heavy weighting of written and oral interview questions which specifically test knowledges needed to perform position duties.

The examples given identifying problem areas and addressing them in an Affirmative Action Plan are illustrative, not comprehensive. Many other factors such as promotions, terminations, and training are analyzed and considered when assessing the effect of an agency's employment policies and practices on its employees.

For more information on affirmative action planning, contact your agency EEO Officer, or the EEO Section, State Personnel Division (444-3871).

STATE EMPLOYEE NEWS PROJECT UNDERWAY

The Helena Independent Record has begun featuring state employee news which has been submitted by state agencies. Photos and stories began appearing in November under a special "State Employees" logo.

Agency heads and personnel officers received the Guide for Independent Record State Employee news.

The Independent Record is interested in publishing news of departmental programs and news of individual employees. New programs, changes to existing programs, public hearings, reports issued, reorganization of an agency, and top-level management appointments are the type of departmental news the Independent Record is interested in publishing. This type of news may be submitted directly to the Independent Record by mail, directed to the attention of Bill Wilke at Box 4249, Helena, Montana 59604, or calling 442-7190, ext. 267.

News of individual employees includes promotions, retirement, awards, continuing education, longevity recognition, publications of articles in national periodicals, or new appointments. News of individual employees may be submitted in writing to Gale Kuglin, Policy Coordinator with the State Personnel Division, or by calling her at 444-3984. When submitting information, include the name, title, and telephone number of a contact person in case additional information is necessary.

For additional copies of the guide, call Mr. Wilke at the Independent Record. For other questions about the program, call Ms. Kuglin, 444-3984.

1987 EMPLOYEE HANDBOOKS NOW AVAILABLE

Been wondering what to get that hard-to-buy-for state employee for Christmas? Well, the 1987 Employee Handbooks are now available.

The handbook contains updates on changes which resulted from the 1987 Legislature, as well as other new programs which have been initiated during the past two years.

The handbook must be ordered from the Property and Supply Bureau, Department of Administration. To order the handbook request stock number 9000-0870. The price is approximately 65 cents per copy.

If you have questions about the Employee Handbook, call Gale Kuglin, 444-3984.

DRAFT SICK LEAVE FUND AMENDMENTS DISTRIBUTED FOR COMMENT

Two proposed changes to the Sick Leave Fund Rules have been distributed to agency heads and personnel officers for initial review and comment. ARM 2.21.810 now requires that the Sick Leave Fund Advisory Council meet at least semiannually. The State Personnel Division is recommending that the Council meet on an as needed basis when there is business to discuss and not on an arbitrary schedule. The second proposed amendment is to ARM 2.21.814. It will delete the reference to a statute which was repealed by the 1987 Legislature. This proposed amendment is housekeeping in nature.

Questions or comments about these proposed amendments to the Sick Leave Fund Rules should be directed to Gale Kuglin, 444-3984.

EEO PURSUIT

Question:

A state agency has seven custodial positions all of which are filled with male employees. When recruiting and selecting for these positions the agency only accepts applicants who have two years of paid work experience in commercial cleaning. This requirement was established because there is minimal training provided, custodians work without immediate supervision, and they must know how to handle a number of commercial cleaning machines.

Over the last four years 38% of all applicants for three custodial positions have been women. No women were hired. The agency has just been notified that a woman who had applied for the most recent vacancy and was not selected because of the two year work experience requirement has filed a sex discrimination case against the agency. How would a hearings examiner or a judge view this case?

CHOLESTEROL: MAKE SURE TO READ THE FINE PRINT

Last month was the test on cholesterol and eating. This month is the field trip to the grocery. Reading the fine print on labels of cans, packages, and boxes can help control your cholesterol. But it isn't easy. The food industry wants your dollar. You can be sure they won't be printing labels that say, "This product may gum up your arteries."

Before the field trip, review last month's test. Remember the basic facts when shopping. First, saturated fats raise blood cholesterol. Eat less of them to lower your cholesterol. Saturated fats are found in meat, milk, cream, cheese, butter, and products with hydrogenated oils or palm, palm kernel, and coconut oil. Secondly, the American Heart Association says we should be eating diets consisting of 30 percent or less fat. Currently we're eating almost 40 percent fat. American men and women average between 2100 and 2700 calories a day. Thirty percent would be 70-90 grams of fat. Most food labels list their fat content in grams. If a single serving of food has 20-30 grams of fat or more, you can easily see you'll have to eat less fat somewhere else to stay on the 30 percent target.

Now on to the store. Grab a cart and push it over to the cooking oil section. Notice bottles of Hollywood Safflower Oil, Wesson Oil and Crisco Oil all say "no cholesterol" and have 14 grams of fat per serving. Read further and see that Wesson Oil has two grams of saturated fat, the safflower oil has one gram, and the Crisco just says fat. No information as to what kind. The safflower oil, lowest in saturated fats, is the best buy for keeping your cholesterol under control. The Crisco may contain hydrogenated fats (more saturated) or even palm or coconut oil (most saturated). When you don't know what you're buying, you shouldn't buy it.

Next, move over to the packaged food shelves. Read the fine print on the brownie, muffin, cookie, and cake mixes. Most have palm or coconut oil, the most saturated of all fats. They're fine now and then. For more frequent use, make your own bran muffins and carrot cake with safflower oil and imitation eggs or egg whites.

The next stop (after a quick look at the frozen food section) is the canned meats. Compare the Armour Corned Beef Hash, Van de Kamp's Light Cod (from the frozen food section), and the house brands of tuna, one can packed in oil, the other in water. The Armour Corned Beef Hash (with saturated beef fats) has 27 grams of fat in a serving. That's a third of your fat for the day. Not so good. The Van de Kamp's Light Cod (from the frozen food section) has 19 grams of fat and contains coconut oil and hydrogenated soybean oil. The "light" obviously doesn't mean light in fat. The tuna in oil has 12 grams of fat in a serving and the tuna in water has 0 grams of fat.

One last stop at the dairy case. Two different brands of cottage cheese both say "low fat" on the carton. When you read the labels, the first has four grams of fat in a serving, the second two grams. The better buy for your arteries is the latter brand.

To pursue a low cholesterol path, read the fine print on the labels. Look at total fat and check for saturated fats. In true Take Heart fashion, we leave you with some hints. If possible, avoid most granola bars, frozen whipped toppings, imitation sour cream, non-dairy coffee creamer, croissants and frozen breakfasts like cheese-egg-bacon biscuits and sausage-hash browns-scrambled egg offerings. It would be an exaggeration to say they're dripping in fat. But not much.

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HERO PURSUIT

Answer:

Factors the court might examine in considering the case are disparate or adverse impact, and the validity of the minimum qualification requirement. Questions the court may ask are:

1) Is the amount of experience too high? Would it actually take two years of experience to acquire the knowledge, skills, and abilities to perform the custodial job duties?

2) Are there other ways in which women may have acquired job related knowledge, skills, and abilities? Should other types of experience such as house cleaning and volunteer cleaning

work have been considered in determining an applicant's qualifications?

3) Was the disparate or adverse impact on women so extreme and obvious that modifications to selection requirements and procedures should have been considered by the agency?

In Griggs vs. Duke Power Company, the court decided that even though all applicants were subject to the same minimum requirements, the requirement of a high school diploma was not valid in determining an applicant's ability to perform custodial job duties, and had a disparate or adverse impact on the selection of blacks.

On its face, the agency's requirement of two year's paid work experience in commercial cleaning is related to an applicant's ability to perform job duties. If the plaintiff can show, however, that women applicants have consistently not been selected because of this requirement, and that the requirement is not a valid predictor or not the only valid predictor of the ability to perform job duties, then she has a good chance of winning a discrimination suit.

In setting minimum requirements for positions, agency managers and officials should always ensure that every requirement is a valid measurement of not only the kind, but level of knowledge, skills, and ability required to perform job duties. They also should be aware of when adverse impact is occurring and take any reasonable steps to resolve it when it does.

For more information contact the EEO Section, State Personnel Division (444-3871).

UPCOMING PRO-HEALTH SCREENING IN HELENA

St. Vincent's Hospital in Billings will be completing the health screening for Helena area employees January 11-22. Each agency will be notified of screening dates, times and locations.

Over 1,500 Helena area employees, retirees, and spouses participated last fall. Another 1,000 are expected to participate in January.

The screening is made available through the State Employee Group Benefit Plan. It will complete a two year program to make screenings available to employees in all parts of the state. The goal of the program is to help employees prevent serious illness by providing them with information about possible health risks.

Employees, spouses, and retired employees and spouses are eligible to participate in the screening if they are enrolled in the Group Benefit Plan.

The screening includes the following:

- Blood pressure check
- Blood analysis (cholesterol, tryglicerides)
- Body fat check
- Health risk lifestyle appraisal
- Hemocult test (colon cancer) for employees over age 50
- Follow-up meeting to review results

For more information, call Joyce Brown, 444-2553.

"THIS IS A BRIBE" - UPDATE TO NEW WELLNESS PROGRAM

When you're doing your Christmas shopping this month, don't forget that gift for yourself - YOUR HEALTH. The State Wellness Program recently announced "This is a Bribe" program which can reimburse employees for a portion of the cost of approved classes which will improve their health. The goal of the program is to provide a monetary inducement to help employees make some healthy lifestyle changes.

"This is a Bribe" is targeted to improve cardiovascular health and reduce the other numerous risks associated with smoking and excess weight.

Employees who have high blood pressure, elevated cholesterol, excess weight, or are smokers may receive a 75% reimbursement of reasonable costs for an approved beginning aerobics fitness program, nutrition or weight control program or smoking cessation program. Employees who do not have identified health risks may receive a $35.00 reimbursement for a beginning aerobics fitness program.

Limited funds are available through the Group Benefit Plan for the "Bribe" program. In an effort to stretch these dollars and achieve maximum benefits, ceilings have been established on amounts that can be reimbursed and criteria have been established in consultation with health care professionals, that programs must meet.

Here's how you can participate:

1. Obtain a Wellness application from the Employee Benefits Section in the State Personnel Division.

2. Find out if the program you are interested in has been approved. If not, obtain a Program Provider form from the Employee Benefits Section.

3. Return the forms to the Employee Benefits Section.

4. You will be notified if you and your program are approved for reimbursement.

Please encourage your co-workers and staff to participate in "This is a Bribe."

For more information, call Debi Flentie, 444-3887.

WELLNESS CLASSES FOR NEW YEAR RESOLUTIONS

The following classes will be offered in the capitol complex during noon hours starting in January:

WEIGHT WATCHERS - A 75% reimbursement is available if your weight meets health risk criteria through "This is a Bribe" program (see related article).

SMOKING CESSATION - A 75% reimbursement is available for smokers through "This is a Bribe" program (see related article).

BEGINNING AEROBICS - Available at 1:10 p.m. and 5:10 p.m. Partial reimbursement is available through "This is a Bribe."

If you are interested, contact Debi Flentie at 444-3887.

MANAGEMENT DEVELOPMENT ADVISORY COUNCIL MEETS

The Professional Development Center's Management Development Advisory Council (MDAC) met November 23 in the Montana Training Center (DNRC Building). The MDAC advises the PDC concerning training and management issues which might be addressed by the Professional Development Center's regular or special training programs. Several new members were introduced, and a brief summary of PDC activities was given by Laurie Ekanger, State Personnel Division Administrator and James Burgess, PDC Director.

Members of the Council are: Newell Anderson, Commerce; Mary Blake, Family Services; Gary Curtis, Labor and Industry; David Darby, Natural Resources and Conservation; Laurie Ekanger, Department of Administration; Maureen Fleming, PhD, University of Montana; Mike Lavin, Justice; Russell McDonald, Highways; and Kenneth Weaver, Montana State University.

Anyone wishing to make recommendations regarding training issues is urged to contact the PDC at 444-3855, or any member of the Council. The Council will meet again during the last two weeks of February, 1988.

TRAINING ANNOUNCED FOR JANUARY, 1988

A number of new classes have been announced. All will be in Helena at the Montana Training Center, located in the DNRC Building at Sixth and Sanders.

Self Management

This day-long seminar is more than just time management for managers. It takes a look at the "big picture" and provides time-tested methods for orchestrating the time and efforts of both yourself and your staff for greater efficiency and effectiveness. John Camper of the PDC is the instructor. The class will be held on Thursday, January 7, and the cost is $55.

Fire Me and I'll Sue

This seminar is for public service and private industry, employers, and attorneys who wish to learn about wrongful discharge and discrimination laws. The seminar is taught by John Moore of the PDC and will be held on Tuesday, January 12. Cost is $60.00.

Face to Face: Communication or Confrontation?

We all face conflicts in our lives from time to time, either on the job, or at home. This seminar, taught by Mary Ellen Campbell of the University of Montana, offers practical methods and means to defuse conflicts before they become confrontations. It will be offered Wednesday, January 13, and the cost is $65.00.

New Employee Orientation

New Employee Orientation will be held Thursday, January 21, from 10 a.m. to 3 p.m. Cost is $15.00.

Anyone wanting additional information on these or other other seminars offered under the auspices of the Professional Development Center is urged to contact their personnel representative or call the PDC at 444-3749, or 444-3774.

PROFESSIONAL DEVELOPMENT CENTER

PDC TRAINING SCHEDULE
First Quarter, 1988

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
January 4	5	6	7 Self Management	8
11	12 Fire Me and I'll Sue	13 Face to Face: Communication or Confrontation Smoking Cessation	14 Marketing in the Public Sector.	15
18	19 Media Relations	20 Smoking Cessation	21 New Employee Orientation	22 Weight Watchers
25	26	27 Smoking Cessation	28 Introduction to SBAS	29 Weight Watchers
February 1	2 Delicate Balance - Privacy and the Right to Know	3 Transforming Your Work Into a Growth Experience Smoking Cessation	4	5 Weight Watchers
8 Pre-Retirement Seminar - **Billings**	9	10 Smoking Cessation	11 What to Do About Training	12 Weight Watchers
Presidents Day 15	16	17 Smoking Cessation	18 **POM-Controls**	19 Weight Watchers
22	23 **POM-Programs**	Smoking Cessation 24 Dealing with the Angry Public Contemporary Writing Skills (2 - half days)	25	26 Weight Watchers
29	March 1 Documeting Disciplinary Actions	2 **POM-Budgets** Smoking Cessation	3 You, Inc: Charting Your Career	4 Weight Watchers
7	8 Advanced Editing Skills Introduction to SBAS	9 Power Communication Skills Smoking Cessation	10 **POM-Information**	11 Weight Watchers
14	15 Interpreting SBAS Reports	16 Fire Me and I'll Sue!	17 Pre-Employment Screening	18 Weight Watchers
21	22 **POM-Special Issues**	23 Interviewing Skills	24 Approaching Supervision	25 Weight Watchers
28 Working with SBAS Documents	29	30 **POM-Synthesis**	31	

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